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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF INDIANA,

BEING THE

SEVENTH SESSION

OF THE

GENERAL ASSEMBLY;

BEGUN AND HELD AT CORYDON, IN SAID STATE, ON

MONDAY, THE 2d DAY OF DECEMBER, 1822.

State Library

CORYDON, IND.

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1822.



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JOURNAL OF THE
HOUSE OF REPRESENTATIVES,

AT THE SEVENTH MEETING OF THE

General Assembly of the State of Indiana,

BEGUN AND HELD AT THE TOWN OF CORYDON, IN SAID STATE, ON MONDAY, THE SECOND DAY OF DECEMBER, IN THE YEAR OF OUR LORD, EIGHTEEN HUNDRED AND TWENTY TWO, BEING THE DAY APPOINTED BY THE CONSTITUTION OF SAID STATE, FOR THE MEETING OF THE GENERAL ASSEMBLY.

The following Members appeared, to wit:

From the county of Knox, *Benjamin V. Beckes* and *General W. Johnston*.

From the counties of Daviess and Martin, being one representative district, *William H. Rout*.

From the county of Vigo, *Lucius H. Scott*.

From the county of Sullivan, *Henry D. Palmer*.

From the counties of Green, Owen and Morgan, *Hugh Barns*.

From the county of Jefferson, *Milton Stapp* and *Nathaniel Hunt*.

From the county of Jennings, *William A. Bullock*.

From the county of Clark, *Isaac Hawk* and *William G. Armstrong*.

From the county of Floyd, *Alexander S. Burnett*.

From the county of Washington, *Noah Wright*.

From the county of Jackson, *William Marshall*.

From the county of Orange, *John G. Clendenin*, and *Jacob Molder*.

From the county of Lawrence, *Joseph Glover*.

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From the county of Monroe, *Joshua H. Lucas.*

From the county of Harrison, *Dennis Pennington* and *Peter Mauk.*

From the county of Crawford, *Henry Green.*

From the county of Posey, *William Casey.*

From the county of Vanderburgh, and so much of Warrick, as is included in Boon and Anderson townships, being one representative district, *Joseph Lane.*

From the counties of Spencer, Perry, Dubois, and so much of Warrick county, as is included in Luce township, *John Daniel.*

From the county of Randolph, *John Wright.*

From the county of Wayne, *Robert Hill, Isaac Julian* and *John Jordan.*

From the county of Fayette, *Oliver H. Smith.*

From the county of Union, *Sylvanus Everts.*

From the county of Franklin, *William M'Cleery* and *John E. Bush.*

From the county of Switzerland, *John Dumont* and *Linus Scoville.*

From the county of Dearborn, *Pinkney James, Horace Bassett* and *Ezekiel Jackson.*

From the county of Ripley, *Joseph Bently*; who produced their credentials, and took their seats as members.

Whereupon,

The members proceeded by ballot to elect a Speaker, and upon examining the ballots, it appeared that General W. Johnston, a member from the county of Knox, was duly elected Speaker, who was, thereupon, sworn into office, and conducted to the Speaker's chair. The other members were then sworn into office, by the honorable Isaac Blackford, one of the Judges of the supreme court of the state of Indiana.

The House then proceeded by ballot, to elect a chief Clerk, and upon examination, it appeared that John F. Ross, was unanimously elected chief Clerk.

The House then proceeded to the election of an as-

assistant Clerk, and upon examining the ballots, it appeared that Henry P. Thornton, was duly elected assistant Clerk.

Whereupon,

The Clerk's were sworn into office, and took their seats at the Clerk's table.

The House then proceeded to elect a Door-keeper, and upon examination, it appeared that John Moore, was duly elected, who was called and sworn into office.

On motion by Mr. Pennington,

Resolved, That the Clerk of this House, inform the Senate, that a quorum of the House of Representatives have assembled, and have elected General W. Johnston, Speaker, John F. Ross, chief Clerk, Henry P. Thornton, assistant Clerk, and John Moore, Door-keeper, and are now ready to proceed to legislative business.

A message was received from the Senate, by Mr. Harrison, announcing that a quorum of the Senate had convened, elected William Graham, President, *pro tem*. James Dill Secretary, John H. Farnham, assistant Secretary, and Isaac Ash, Door-keeper, and were now ready to proceed to legislative business.

On motion by Mr. Pennington,

Resolved, That a committee be appointed to wait upon the Reverend Benjamin Adams, and request him to attend in the Hall of the House of Representatives, at 2 o'clock, p. m. and open the session by solemn prayer to Almighty God; and

Thereupon,

Messrs. Pennington, Howk, and Everts, were appointed that committee.

And then the House adjourned till 2 o'clock, p. m.
2 o'clock, P. M.

House met pursuant to adjournment.

The Reverend Benjamin Adams came in, conducted by the committee appointed to wait upon him and request his attendance; and

Thereupon,

Proceeded to open the session by solemn prayer, and after receiving the thanks of the House, through the Speaker, retired.

On motion by Mr. Stapp,

Resolved, That the rules adopted for the government of the House of Representatives, at their session in the year 1821, be adopted as the rules of this House, during their present session, until altered or amended.

On motion by Mr. Beckes,

Resolved, That a committee of two members, be appointed on the part of this House, to act in conjunction with a similar committee, to be appointed on the part of the Senate, to wait upon his Excellency, Ratliff Boon, Lieutenant and acting Governor, and inform him, that the two Houses have formed a quorum, and are ready to receive any communication he may please to make to them; and that the Senate be informed thereof, and a similar committee requested on their part.

On motion by Mr. Smith,

Resolved, That the joint rules for transacting business in the two Houses of the General Assembly, at the last session, be adopted as the joint rules for transacting business at the present session, and that the Senate be informed thereof, and their concurrence requested.

A message was received from the Senate, by Mr. Harrison, a member, announcing that the Senate concurred in the resolution of this House, appointing a committee to wait on his Excellency, Ratliff Boon, Lieutenant and acting Governor, to inform him of the meeting of the two Houses, and had appointed, Messrs. Harrison and Ray, a committee on their part.

The Speaker appointed Messrs. Hawk, Casey, Hunt, Wright of Washington, and Mauk, a committee of Elections; and Messrs. Stapp, Beckes, Marshall, Dumont and Smith, a committee of Ways and Means.

On motion by Mr. Pennington,

Ordered, That the certificates and credentials of members elect, of this House, be referred to the committee of Elections.

The Speaker laid before the House, a communication from Christopher Harrison, one of the commissioners for the town of Indianapolis, on the subject of certain expenses, incurred by advertising the lots of said town for sale, which was read, and laid on the table.

A message was received from the Senate by Mr. Baird, a member, announcing that the Senate had adopted the following resolution:

Resolved, That the joint rules for conducting business in the two Houses of the General Assembly, at the last session, be adopted as the joint rules for transacting business at the present session, and that the House of Representatives be informed thereof.

On motion by Mr. Bullock,

Resolved, That a committee be appointed to enquire whether any arrangements have been made to furnish this House with stationary, and if not, the said committee so appointed, be authorized to make the necessary arrangements for the same, and thereupon, Messrs. Bullock and Pennington were appointed said committee.

On motion by Mr. Smith,

Resolved, That a committee be appointed to enquire into the state of the unfinished business of the last session, and that they report to this House the state and condition thereof, and thereupon Messrs. Smith, James and Bassett, were appointed said committee.

And the House adjourned till to-morrow morning 9 o'clock.

TUESDAY MORNING, DECEMBER 3, 1822.

House met pursuant to adjournment.

Mr. Clark, a member from the county of Scott, appeared, produced his credentials, was sworn and took his seat as a member of this House.

Mr. Bullock, from the joint Committee appointed by the Senate and House of Representatives to wait on his Excellency Ratliff Boon, Lieutenant and acting Governor, and inform him that the two Houses had assembled, formed a quorum, and were ready to receive any communication he might please to make to them, reported that the said committee had performed that duty, and had received for answer, that his Excellency will on this day at 11 o'clock A. M. deliver a communication in writing, by Robert A. New, Esq. to both branches of the General Assembly, in the Representatives' chamber.

On motion by Mr. Hunt,

Ordered, That a committee be appointed to procure the printing of one hundred copies of the rules as adopted for the government of this House, during the present session, for the use of the members of this House; and thereupon, Mr. Hunt was appointed that committee.

The Speaker appointed Messrs. Stapp, Burnett, Marshall, Casey and Hill, a committee on military affairs.

Messrs. Everts, Pennington, James, Dumont, Wright of R. and Palmer, a committee on education.

Messrs. Smith, Howk, Bassett, Hunt, Bently, Scott and James, a committee on the Judiciary.

Mr. Scott, having obtained leave, presented the petition of Eli Dixon and others, together with sundry other documents, contesting the seat of Hugh Barns, a member from the counties of Green, Owen and Morgan, which were severally read, and referred to the committee of elections.

On motion by Mr. Smith,

Mr. Bush was added to the committee of Ways and Means.

Mr. Everts having obtained leave, presented the petition of Thomas Brown and others, of Union county, praying an act to remove the seat of justice, of said county, which was read, and referred to a select committee, of Messrs. Everts, M'Cleery, Jordan, Jackson and Armstrong.

Mr. Wright of Washington, having obtained leave, presented the petition of George Dixon and others, of Delaware county, praying for the formation of a new county, out of said county of Delaware; which was read, and referred to a select committee of Messrs. Wright of Washington, Bullock, Green, Lane and Rout, with leave to report by bill or otherwise.

Mr. Howk having obtained leave, presented the petition of John M. Lemon and others, of Clark county, praying an amendment to the militia law, which was read, and referred to the committee on military affairs.

Mr. Everts having obtained leave, presented the petition of the heirs and administrators of Rachel Minor, deceased, praying an act to authorize the said administrators to sell a portion of the real estate of the said Rachel Minor, deceased, which was read, and referred to a select committee of Messrs. Everts, Howk, Clendenin, Lucas and Bassett.

Mr. Beckes having obtained leave, presented the petition of Rachel Simpson, praying certain relief; which was read, and referred to a select committee of Messrs. Beckes, Jackson, Marshall, Jordan and Wright of Randolph.

Mr. Lucas presented the petition of Samuel Scott and others, praying a change in the state road from Bloomington to Indianapolis, which was read and referred to a select committee of Messrs. Lucas, Julian, Bush, Bassett, Scoville, Bently, Bullock, Burnett and Glover.

On motion by Mr. Dumont,

Resolved, That the Senate be informed that the House will, with the concurrence of the Senate, proceed to open and compare the return of votes for Governor and Lieutenant Governor, in the Representative chamber, this day, at 2 o'clock, P. M.

On motion by Mr. Pennington,

Resolved, That the Senate be informed that this House is now ready to receive them in the Representatives' chamber, for the purpose of receiving the message of his Excellency Ratliff Boon, Lieutenant and acting Governor, and that seats will be prepared on the right of the Speaker's chair, for the members of the Senate.

Whereupon,

The Senate came in and took their seats, and the following message in writing was received from his Excellency the Lieutenant and acting Governor, transmitted by R. A. New, Esq. Secretary of State, to wit:

Gentlemen of the Senate,

And of the House of Representatives,

IN meeting you on the present occasion, it is pleasing to announce that no untoward event has transpired connected with the interests of the state, within the period for which it has been necessary for me to attend to the Executive trust and duties:—Under this view of the subject, and the expectation of your receiving a communication in detail from my successor in office, whose constitutional period will commence on the third day of the present session of the General Assembly, I have declined embracing in my communication, various subjects, which may be necessary to claim the attention of the present Legislature, on which, in my conception it will be the province of my successor in office to communicate for your consideration.

The melancholy effect which the peculiarity of the

present season has produced to many of our fellow-citizens, as well as to those of our sister states in the Union, is a subject of deep regret; yet we have reason to send forth our gratitude to the Omnipotent disposer of events, that the close of another year has not returned without the usual bountiful supplies of the necessities of life, for the consumption of the citizens of our own state, and a large surplus of produce for exportation, to foreign markets; which, if annually managed by those of our own state, with economy and enterprise, with a gentle forbearance on the part of our fellow citizens, one toward another, will be the only sure foundation on which to rely for relief, from the present embarrassed situation of the country, and which is so generally experienced by almost every description of our citizens.

Ways and means for the support of government should occupy the early attention of the legislature, as they are the only proper tribunal to determine what shall be the proper subjects, and manner of taxation. Subjects of the most general interest to the state, are too often omitted until the latter part of the session of the legislature; and consequently produces in the close of a hurried session, various defects in many of our statutory provisions.

It is believed that the present method of assessing and collecting the revenue, is not sufficiently certain in its provisions, to secure the support of the public credit. The assessment of taxes should annually be made, at an earlier period; which would afford more time for collection, and render the payments into the Treasury more certain, and less burthensome to the people. The appointment of a lister in each township, in the several counties, with an exemption from certain other public duties, as a compensation for their services as listers, it is believed would annually secure to the Treasury a more full, and complete amount of revenue, and render the assessment less

burthensome to the counties. The numerous amendatory acts relative to the assessment and collection of the revenue, renders it difficult for the listers, and collectors, to discharge their respective duties, with that certainty, which the importance of the measure requires.

The law which requires the governor for the time being, to issue writs of election when the seats of any representative to congress or any senator or representative of this state, shall become vacant, is so indefinite in its character, as to require additional legislative interposition. The law makes no provision, what shall be considered a vacancy, where the person elect has not been qualified into office, and declared to be duly elected, and more particularly where a cause of contest has been served, and no decision had thereon.

The act to provide for the election of county and township officers, makes it the duty of the governor, when he shall receive the resignation of certain officers therein named, to notify the sheriff of the proper county, or person acting as sheriff, in order that the vacancy may be filled; but makes no provision in case of a vacancy in the office of sheriff, or coroner, at the same time, how any of the aforesaid offices are to be filled.

The constitution provides, that contested elections for governor and lieutenant governor, shall be regulated and conducted in such manner, as shall be prescribed by law; although no cause of contest has arisen since the commencement of the state government, yet the necessity of a law on that subject, is respectfully recommended to your consideration.

The law which makes it the duty of the clerks of the circuit courts to forward certificates of election of governor, lieutenant governor, and representatives to congress, affixes no penalty on those officers of the courts, in case of a failure to perform that duty.

The law passed at the last session of the legisla-

ture, which authorizes called courts for the trial of criminal prosecutions, has made no provision for counsel on the part of the state, where there shall be no prosecuting attorney resident in the county, where the offence shall have been committed.

Judgement has been obtained against the corporation of the bank of Vincennes, and commissioners have been appointed to receive the effects of the bank agreeably to the provisions of an act of the last legislature; two of which commissioners have refused to accept of their appointments, which, together with the circumstance of the effects of the bank having been removed from Vincennes, has prevented a further prosecution of the subject.

How far the provisions of an act of the last session of the legislature has been, or will be complied with, relative to a revision of the statute laws of this state, which is so essentially necessary to the furtherance of public justice, is a subject submitted for early consideration.

Many of the counties have not a sufficient number of the acts passed at the different sessions of the legislature, since the commencement of the state government, to enable those officers, for whose use, and information they were intended, to enter with certainty upon the discharge of their relative duties, and more particularly those new counties, within that portion of the state, commonly called the New Purchase; and for which counties there has been no provision made by law, for the distribution of any number of the acts of 1821.

The right of representation, and taxation, within the state, under existing circumstances, presents a subject of the utmost importance and interest to many of our fellow citizens; to which I invite your particular attention. Since the last appointment for senators and representatives, to the general assembly of this state, several new counties have been formed, and

organized in that portion of the state, which were not included within the original counties, in consequence of which, from the existing law, will be entitled to no representation in the general assembly, until the year 1826. The fourth section of the first article of the constitution, declares that elections shall be free, and equal; and the same article, and seventh section provides, that no man's particular services shall be demanded, or property taken and applied to public use, without the consent of his representatives, or without a just compensation being made therefor.

Two several communications have been made, and forwarded to the governor of the state of Illinois, pursuant to an act of the last session of the general assembly of this state, relative to the navigation of the Wabash river, both of which were accompanied with a certified copy of the act relative thereto.

Sundry communications have been received from the governors of other states accompanied with various resolutions of the legislatures of their respective states, among which is one from the governor of Kentucky, soliciting the appointment of one or more commissioners on the part of the state of Ohio, Indiana and Illinois, to negotiate with such commissioner or commissioners, as may be appointed on the part of the state of Kentucky, on the subject of the difficulties existing between those states, with regard to the manner of reclaiming fugitives from labour, which have fled into any of those non-slave-holding states. It is conceived to be a duty which we owe to our sister states, in the union, to guard against every circumstance, which would be calculated in the least, to effect that social intercourse which is so essential to the peace and harmony, due from one state towards another.

The present militia law makes no provision, how elections for officers are to be determined, where two or more are highest, and equal in number of votes. Difficulties have already presented themselves, with

regard to the election of general officers, which will be a subject for your consideration.

An agent for the state at Indianapolis, has been appointed and commissioned, to supply the vacancy occasioned by the resignation of general John Carr, whose appointment will expire at the end of the present session of the general assembly.

With an entire confidence in your superior wisdom, those subjects are submitted for your consideration, with the assurance, that it will afford me much pleasure to unite with you in the support of any measure, calculated to promote the best interests of the state, and the happiness of its citizens.

RATLIFF BOON.

December 3, 1822.

The Senate retired to their chamber.

On motion by Mr. Smith,

Ordered, That five hundred copies of the Governor's message, be printed for the use of the members of this House.

And the House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion by Mr. Scott,

Resolved, That the Senate be informed, that the House of Representatives is now ready to receive the Senate in the Representatives' chamber, for the purpose of counting the votes for Governor and Lieutenant Governor, that seats are prepared for the Senate, on the right of the Speaker's chair, and that Mr. Smith is appointed Teller on the part of the House of Representatives.

On motion by Mr. Smith,

Resolved, That the honorable Benjamin Parke, who was appointed to revise the statute laws of this State, at the last session of the General Assembly, be requested to report to this General Assembly, at as early a period as possible, what progress, if any, he has

made in the revision of the statutes of this state, and that the Senate be informed thereof, and their concurrence requested,

On motion by Mr. Hill,

Mr. Julian was added to the select committee, to whom was referred the petition of Thomas Brown and others, praying for a removal of the seat of justice of Union county.

On motion by Mr. Dumont,

Mr. Scoville was added to the committee on Military affairs.

On motion by Mr. Everts,

Mr. Bullock was added to the standing committee on education.

Mr. Dumont gave notice that he would, on to-morrow, or some subsequent day in the present session, ask leave to introduce a bill to repeal the act passed at the last session of the General Assembly, on the subject of impeachments.

A message from the Senate by Mr. Baird, a member, announcing that the Senate concurred in the resolution of the House of Representatives, relative to counting and comparing the votes returned for Governor and Lieutenant Governor, and had appointed Mr. Daniel, Teller, on the part of the Senate.

The Senate came in and took their seats on the right of the Speaker's chair, in the House of Representatives, and the returns of the votes given for Governor and Lieutenant Governor, in several counties were opened by the Speaker and counted by the Tellers, in presence of the two Houses, when a question arose with regard to the legality of some of the returns, which had not been sealed up, and directed pursuant to the provisions of the constitution of the state of Indiana;

Whereupon,

The Senate retired and the two Houses separated for the purpose of taking the opinion of each, in rela-

tion to the propriety of receiving or rejecting said returns.

Whereupon,

Mr. Wright, of Randolph, submitted the following resolution.

Resolved, That the returns of election for Governor and Lieutenant Governor, from the counties of Scott and Decatur, be rejected for informality, the same not having been addressed to the Speaker of the House of Representatives, as the Constitution prescribes; that the Senate be informed thereof, and the adoption of a similar resolution requested on their part.

And on the question, will the House adopt said resolution? it was decided in the negative.

And the House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 4, 1822.

The House met pursuant to adjournment.

Ezra Childs, a member from the county of Washington, and Charles De Pauw, a member from the county of Bartholomew, appeared, produced their credentials, were sworn and took their seats as members of this House.

On motion,

The credentials of the two members aforesaid, were referred to the committee of Elections.

Mr. Everts presented the petition of James Armstrong and others, praying a change in the state road from Oxford to Connersville, which was read, and referred to a select committee of Messrs. Everts, Clendenin, Marshall, Stapp, Bullock and Smith.

Mr. Everts presented the remonstrance of John Lovejoy and others, against said petition, which was read, and referred to the last mentioned committee.

On motion by Mr. Wright of Washington;

Resolved, That a select committee be appointed to enquire if any, and what amendments are necessary to the several acts now in force, in this state, for opening public roads and highways, with leave to report by bill or otherwise; and

Thereupon,

Messrs. Wright of W., Stapp, Jackson, Bullock and Armstrong were appointed said committee.

Mr. Bush presented the petition of Jacob Baker and others, praying that a change may be made in the state road, from Oxford to Connersville, which was referred to the committee to whom was referred the petition of James Armstrong and others.

Mr. Beckes presented the petition of Benjamin Olney, praying certain relief, which was read, and referred to the select committee, to whom was referred the petition of Rachel Simpson, with leave to report thereon by bill or otherwise.

On motion by Mr. Stapp,

Resolved, That a committee be appointed to enquire into the expediency of repealing the second and third sections of an act, confirming an act, regulating the fees of the several officers and persons therein named, approved December 31st, 1821, with leave to report by bill or otherwise; and

Thereupon,

Messrs. Stapp, Beckes, Lucas, Hill and Bassett, were appointed that committee.

On motion by Mr. Bassett,

Resolved, That the judiciary committee be instructed to enquire into the expediency of repealing all laws now in force, establishing the court of county commissioners, and transferring all the powers and duties of said commissioners, to the several townships and the associate judges of the circuit courts of the respective counties, with leave to report by bill or otherwise.

Mr. Childs presented the petition of James Fidler

and others, praying for the extension of the state road from Bono to Palestine, in Lawrence County, which was read, and referred to a select committee of Messrs. Childs, Casey, Daniel, Pennington and Wright, of Randolph.

Mr. Childs also presented the petition of Westly Jean, praying compensation for injury received by the running of the state road from Albany to Bono, which passed through his land, which was referred to said last mentioned committee.

Mr. Hill presented the petition of Mr. Fencher, praying certain relief, which was read and referred to a select committee of Messrs. Hill, Smith, Bullock, Hunt and Everts.

Mr. Wright, of Randolph, presented the petition of the commissioners on the state road leading through Winchester to Indianapolis, praying that their proceedings may be confirmed, which was read and referred to a select committee of Mr. Wright, of R. Dumont, M'Cleery, Clendenin and Rout, with leave to report by bill or otherwise.

Mr. Smith having obtained leave, introduced a bill for the relief of the securities of civil officers, which was read the first time and ordered to be read a second time to-morrow.

The Speaker laid before the House, the report of Jesse Emmerson, Esq. superintendant of the seminary township of land in Gibson county, also the report of the trustees of the state seminary, and also the report of the trustees of the public seminary of the county of Orange, and also the report of the clerks of the board of commissioners of the counties of Wayne, Lawrence and Parke, on the subject of the seminary funds, of their respective counties, which was severally read, and referred to the committee on Education.

The Speaker laid before the House, the following communication from his Excellency, R. Boon, viz:

Corydon, December 3, 1822.

SIR,

The circumstance of my having received the communications and documents referred to in my communication of this day, having been received in single copies, have laid them before the Senate, with the expectation that they will be laid before the House of Representatives, in their proper order.

Accept assurances of my highest
consideration and esteem,

R. BOON.

Mr. Dumont gave notice that he would on to-morrow, or some subsequent day, in the present session, ask leave to introduce a bill to repeal all laws, and parts of laws, now in force, authorizing imprisonment for debt, and to provide for the punishment of persons who may transfer their property for the purpose of defrauding their creditors.

Mr. M'Cleery presented the petition of the inhabitants of Greensburgh, and the petition of the inhabitants of Brookville, praying each for an act to vacate a part of said towns, which were referred to a select committee of Messrs. M'Cleery, Jackson, Bassett, De Pauw and Casey, with leave to report by bill or otherwise.

On motion by Mr. Burnett,

Resolved, That the message of his excellency, R. Boon, Lieutenant and acting Governor, be referred to a committee of the whole House, and made the order of the day for to-morrow.

On motion by Mr. Bullock,

Mr. Childs was added to the committee on Education.

A message was received from the Senate by Mr. Thompson, a member, announcing that the Senate were ready to meet the House of Representatives in the Representatives' chamber, to proceed to count the votes given for Governor and Lieutenant Governor.

On motion by Mr. Stapp,

Resolved, That the Senate be informed that this House is now ready to receive the Senate in the Representatives's chamber, in order to proceed to counting the votes for Governor and Lieutenant Governor, and that seats, on the right of the Speaker's chair, are prepared for their accommodation.

And the House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Bullock presented sundry documents relative to the contested seat of Hugh Barns, a member from the counties of Green, Owen and Morgan, which were referred to the committee of elections.

Mr. Scoville submitted the following resolution:

Resolved, That a committee of propositions and grievances be appointed to whom all petitions praying for relief and redress of grievances, shall be referred, which resolution was negatived.

The Speaker laid before the House the following communication in writing from R. A. New, Esq. Secretary of State, viz:

SECRETARY'S OFFICE, DEC. 4, 1822.

To the Honorable,

*The Speaker of the House of Representatives
of the state of Indiana,*

SIR,

I have the honor to transmit you a copy of the contracts entered into by the committee on the part of the state, with sundry individuals for public printing, stationary and fuel; that your committee have contracted with Messrs. Carpenter and Douglass, for the printing of the laws and journals of the legislature of Indiana, for the session of 1822-23, at prices following, to wit:

Composition at 45 cts. per 1000 m's.

Press work at 45 cts. per token.

Folding and stitching 5 cents per copy.

Paper \$4.00 per ream.

Treasury notes or their equivalent received in payment; that the said Carpenter and Douglass have pledged themselves, that for the sake of public convenience, they will establish a printing office at Corydon; and further, that the work shall be executed in the most unexceptionable manner, and with sufficient dispatch to meet the fullest wishes of both the contractors and the legislature.

That they have contracted with William Truett and William P. Thomasson, for furnishing the General Assembly with stationary, at the following rates, viz:

Letter, or quarto post, at	\$5 50	per ream.
Cap writing paper, No. 1,	4 87½	do.
do. 2,	4 50	do.
do. 3,	4 00	do.
Writing quills 1st rate at	3 50	pr. hundred.
2d rate	2 60	do.
3d rate	1 75	do.

All the quills are clarified, and the greatest difference is in the size.

Candles, dipt at 25 cents per pound.

Moulded, at 30 cents per pound.

Ink, at 75 cents per pint, or 25 cents per paper, for the powder.

Other articles furnished reasonably.

That your committee have also contracted with William Daggs, for fuel, at fifty-five cents per day.

All of which is respectfully submitted.

R. A. NEW.

Which communication was read and laid on the table.

Mr. James presented the petition of sundry citizens of Dearborn county, praying an act authorizing a review of the state road from Rising Sun, in said county, to Versailles, in Ripley county. Also a petition of the inhabitants of the county of Decatur, praying an

act to legalize the proceedings of the board of county commissioners of said county of Decatur, which were severally read and referred to a select committee of Messrs. James, Stapp, Palmer, Beckes and Bassett, with leave to report by bill or otherwise.

Mr. Beckes presented the petition of Claudius George Brown, praying for compensation for certain repairs done by him on the seminary in Vincennes, which was referred to the committee on Education.

Mr. Smith having obtained leave, introduced a bill to repeal the act authorizing called sessions of the circuit courts, which was read the first time and ordered to be read the second time to-morrow.

The Senate now came in and took their seats in the Representatives' chamber.

Whereupon,

The votes for Governor and Lieutenant Governor, were counted and compared in presence of the two Houses, until all were counted that were legally returned, and from which it appeared that William Hendricks had for Governor, eighteen thousand three hundred and forty votes.

That Ratliff Boon had for Lieutenant Governor, seven thousand eight hundred and nine votes.

That William Polke had for Lieutenant Governor, four thousand and forty four votes.

That Erasmus Powell had for Lieutenant Governor, three thousand six hundred and three votes.

That David H. Maxwell had for Lieutenant Governor, two thousand three hundred and sixty six votes.

Whereupon,

The Speaker of the House of representatives proclaimed William Hendricks duly elected Governor of the state of Indiana, and Ratliff Boon duly elected Lieutenant Governor thereof.

And the Senate retired to their chamber.

On motion by Mr. James,

Resolved, That a committee be appointed on the

part of this House, to act with a similar committee which may be appointed on the part of the Senate, to wait upon William Hendricks and Ratliff Boon, the Governor and Lieutenant Governor, elect, and inform them that they have respectfully been declared duly elected, and to learn from them at what time it will be convenient for them to attend in the Representatives' chamber, and take the oath of office, and other oaths prescribed by the constitution and laws of this state. That the Senate be informed thereof, and a similar committee requested on their part. That Messrs. Hill and James are appointed the committee on the part of this House.

Mr. Dumont, agreeably to notice, introduced a bill to repeal the act to amend the act directing the mode of proceeding on impeachments, which was read the first time, and ordered to be read the second time tomorrow.

Mr. Bush presented the petition of William Simms, jun. William Simms, sen. and Enoch D. John, praying a change in the state road, in leading from the Ohio state line to Brookville, and thence to Indianapolis. or compensation for the damage done them by the running said road through their farms, which was referred to a select committee of Messrs Bush, Burnett, Bullock, Lucas and Molder.

On motion by Mr. Armstrong,

Resolved, That a select committee be appointed to enquire what amendments, if any, are necessary to the laws now in force, authorizing the appointment of guardians, and for the security of the property of their wards, with leave to report by bill or otherwise; and

Thereupon,

Messrs. Armstrong, Stapp, Hawk, Bullock and Clendenin, were appointed that committee.

A message was received from the Senate by Mr. Clark, a member, announcing that the Senate had passed the following resolution:

Resolved, That Messrs. Clark and Ray, be appointed a committee on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to wait on William Hendricks and Ratliff Boon, Esquires, and inform them that the two Houses of the General Assembly of the state of Indiana, after counting the votes legally returned, did on this day, through and by the Speaker of the House of Representatives, publish and declare the said William Hendricks duly elected Governor, and the said Ratliff Boon duly elected Lieutenant Governor, for the term of three years, from and after this day and until their successors be duly elected and qualified. And to know of them at what time they will meet the two houses of the General Assembly, to take the oaths required by the constitution and laws of the state of Indiana.

Mr. Hunt moved that the House adjourn till tomorrow morning, 9 o'clock, which motion was negatived.

Mr. Pennington submitted the following resolution:

Resolved, That a standing committee of propositions and grievances be appointed, which motion was negatived.

Mr. James from the joint committee appointed to wait on the Governor and Lieutenant Governor, and inform them that they have been respectively declared duly elected Governor and Lieutenant Governor, and ascertain when it will be convenient for them to attend in the Representatives' chamber, for the purpose of taking the oaths prescribed by the constitution and laws of the state of Indiana,

Reported, that the said committee had performed that duty, and had received for answer from the Governor and Lieutenant Governor, that they would attend immediately in the chamber of the House of Representatives, for the purpose of taking the oaths prescribed by the constitution and laws of this state.

On motion by Mr. Scott,

Resolved, That the Senate be informed that William Hendricks and Ratliff Boon, the Governor and Lieutenant Governor, elect, will now meet both Houses of the General Assembly in the chamber of the House of Representative, to take the oaths prescribed by the constitution and laws of this state, and that seats are prepared on the right of the Speaker's chair, for the reception of the Senate.

The Senate came in and took their seats, when his Excellency William Hendricks and his honor Ratliff Boon, conducted by the joint committee, appointed for that purpose, came into the Representatives' chamber;

Whereupon,

The several oaths prescribed by the constitution and laws of this state were administered to them by the honorable Isaac Blackford, one of the judges of the supreme court of this state, in presence of both Houses of the General Assembly, when his Excellency William Hendricks delivered an inaugural address, and his honor Ratliff Boon delivered an inaugural address to both Houses.

Whereupon,

The Senate retired.

And the House adjourned till to-morrow morning, 9 o'clock.

THURSDAY MORNING, DECEMBER 5, 1822.

House met pursuant to adjournment.

On motion,

Resolved, That Messrs. Scott and Bullock be appointed a committee on the part of this House, to act with a similar committee on the part of the Senate, to wait upon his Excellency the Governor, and learn

whether he has any communications to make to this House, and if so, at what time they shall be made, and that the Senate be informed thereof, and a similar resolution and a committee requested on their part.

The bill for the relief of securities of civil officers.

The bill to repeal the act authorizing called sessions of the circuit courts.

And the bill to repeal the act, entitled an act, to amend an act, entitled an act, directing the mode of proceeding on impeachments, were taken up and severally read the second time and committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Bullock presented the petition of Betsey Townsend, praying a divorce, which was referred to a select committee of Messrs. Bullock, Stapp, Bassett, Everts, Hill, Pennington and Wright, of R.

Mr. Childs gave notice that he would on to-morrow, or some subsequent day in the present session, ask leave to introduce a bill to repeal the 2d section of the act, entitled an act, regulating the duty and jurisdiction of justices of the peace, approved January 23th, 1818.

A message was received from the Senate by Mr. Thompson, announcing that the Senate had passed the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to wait on his Excellency, William Hendricks, and inform him that the two Houses of the General Assembly are now ready to receive any communication he may think proper to make to them, and to know at what time it will be agreeable to him to make such communication, and that Messrs. Thompson and Graham are appointed a committee on the part of the Senate.

Mr. Smith from the committee of revisal and unfinished business, reported the state and condition of several bills which were postponed, and others which

were unacted upon to a final disposition at last session, which report was concurred in by the House.

Mr. Stapp submitted the following resolution:

Resolved, That a committee of three members be appointed by the House of Representatives to act with a similar committee which may be appointed on the part of the Senate, to enquire into the expediency of memorializing Congress on the subject of repealing so much of the fifth paragraph of the sixth section of the act to enable the people of the state of Indiana to form a constitution and state government, &c. approved April 19th, 1816, as requires an ordinance of this state, that all lands sold by the United States, from and after the first day of December, 1816, shall be exempt from taxation of any kind for five years, from and after the sale thereof, with leave to report by memorial or otherwise; and that the Senate be informed thereof, and their concurrence requested.

And on the question of adopting said resolution, the yeas and nays were demanded by Messrs. Bently and Stapp, which was decided in the negative.

And those who voted in the affirmative were,

Messrs. Barns,	Green,
Burnett,	Jackson,
Bush,	Palmer,
Beckes,	Stapp, and
Bently,	Wright of W.—11.
Glover,	

And those who voted in the negative were,

Messrs. Armstrong,	Julian,
Bassett,	Lane,
Bullock,	Lucas,
Casey,	Marshall,
Clark,	M'Cleery,
Clendenin,	Mauk,
Childs,	Molder,
Daniel,	Pennington,

De Pauw,
Dumont,
Everts,
Howk,
Hunt,
James,
Jordan,

Rout,
Scott,
Scoville,
Smith,
Wright of R. and
Mr. Speaker.—29.

Mr. Howk from the committee of elections to whom was referred the petition of Eli Dixon, and accompanying documents, contesting the election of Hugh Barns, a member of this House, made the following report thereon.

The committee of elections have examined the petition of Eli Dixon and the accompanying documents to them referred, and find that in the election district, composing the counties of Green, Owen and Morgan, and that part of Putnam county which was taken from Owen, Eli Dixon, a candidate for Representative, received 182 votes, and that Hugh Barns, a candidate for the same office, received 152 votes, giving to the said Dixon, a majority of 30 votes. The committee do further find that the said Barns has the certificate of the sheriffs of the four counties above named, certifying that agreeably to the returns of the elections held in the different counties above named, it appears that Hugh Barns was duly elected representative, &c. from which certificate it appears that the returns of the election held in the county of Putnam, were computed by the several sheriffs in giving their certificates; whereas, by the law, the returns of only that part of Putnam which was taken from Owen, should have been by them counted. The committee are of opinion that the voice of a majority of the legal voters, when it can be ascertained with certainty, should not be defeated by the default or misfeasance of any public officer, and would therefore recommend the adoption of the following resolution:

Resolved, That Eli Dixon be admitted to take his seat in this House as the representative of the counties of Owen, Morgan and Green, and that the seat of the said Hugh Barns be vacated.

On motion,

Ordered, That the said report and accompanying documents, be referred to a committee of the whole House, and made the order of the day for this day.

The House now resolved itself into a committee of the whole on said report, Mr. Beckes in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beckes reported that the committee of the whole, according to order, had had the said report &c. under their consideration, and had concurred in the same, in which they had directed him to ask the further concurrence of the House; and

On motion,

The House concurred in the said report.

Whereupon,

The said Eli Dixon came in and was sworn into office, by the honorable Isaac Blackford, and took his seat accordingly; and

Thereupon,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Hunt offered the following resolution:

Resolved, by the House of Representatives, that the two Houses of the General Assembly will convene in the Representatives' chamber on to-morrow, at 10 o'clock A. M. and proceed by joint ballot, to elect an agent for the state of Indiana, to reside at Indianapolis, in the room of John Carr, resigned; and that the Senate be informed hereof, and a similar resolution on their part requested, which was accordingly adopted.

Mr. Howk from the committee of elections made the following report:

The committee of elections having examined the

certificates of elections of members to the House of Representatives, referred to them, do find the following named gentlemen duly elected, and entitled to their seats, to wit:

From the county of Knox, *General W. Johnston* and *Benjamin V. Beckes.*

From the counties of Daveiss and Martin, *William H. Routt*

From the county of Vigo, *Lucius H. Scott.*

From the county of Jefferson, *Milton Stapp* and *Nathaniel Hunt.*

From the county of Jennings, *William A. Bullock.*

From the county of Clark, *William G. Armstrong* and *Isaac Hovek.*

From the county of Floyd, *Alexander S. Burnett.*

From the county of Washington, *Noah Wright* and *Ezra Childs.*

From the county of Jackson, *William Marshall.*

From the county of Scott, *William D. Clark.*

From the county of Orange, *Jacob Molder* and *John G. Clendenin.*

From the county of Lawrence, *Joseph Glover.*

From the county of Monroe, *Joshua H. Lucas.*

From the county of Harrison, *Dennis Pennington* and *Peter Mauk.*

From the county of Crawford, *Henry Green.*

From the county of Posey, *William Casey.*

From the county of Vanderburgh and so much of Warrick county as is included in Boon and Anderson townships, *Joseph Lane.*

From the counties of Spencer, Perry, Dubois and so much of Warrick county as is included in Luce township, *John Daniel.*

From the county of Switzerland, *John Dumont* and *Linus Scoville.*

From the county of Ripley, *Joseph Bently.*

From the county of Dearborn, *Ezekiel Jackson.*
Pinkney James and *Herace Bassett.*

From the county of Wayne, *Robert Hill, Isaac Julian and John Jordan.*

From the county of Franklin, *John E. Bush and William M' Cleery.*

From the county of Union, *Sylvanus Everts.*

From the county of Fayette, *Oliver H. Smith.*

From the county of Randolph, *John Wright.*

From the county of Sullivan, *Henry D. Palmer.*

From the county of Bartholomew, *Charles De Pauw.*

Mr. Scoville offered the following resolution:

Resolved; That the Judiciary Committee be instructed to enquire into the expediency of passing a law authorizing writs of Certiorari in certain cases, which resolution was negatived.

Mr. Scott, from the joint committee appointed to wait upon his excellency the Governor, and to learn from him if he had any communication to make to this House, reported, that the said committee had performed the duty assigned them, and had received for answer that his Excellency would make a communication to both Houses of the General Assembly, by R. A. New, Esq. secretary of state, on this day at 3 o'clock, P. M.

3 o'clock, P. M.

Mr. Dumont, agreeably to notice heretofore given, introduced a bill to abolish imprisonment for debt in certain cases; which was read the first time and ordered to a second reading on to morrow.

Mr. Smith gave notice that he would on to-morrow, or some subsequent day in the present session, ask leave to introduce a bill, to authorize the sale of certain public property in the town of Connersville, in Fayette county.

A message from the Senate by Mr. Ray, a member.

Mr. Speaker,

The Senate have adopted the following resolution: Whereas a variety of communications have been made

to the Senate by the Lieutenant and acting Governor of this state, received from a number of the Governors and secretaries of state of several states in the Union, accompanied by various reports and documents on different subjects, affecting the interests of Indiana, which have been read and heard by the Senate;

Therefore,

That the House of Representatives may be made acquainted with the subjects of those communications, and act in conjunction with the Senate thereon,

Be it hereby resolved, that the said communications, together with the accompanying documents, be laid before the Speaker of the House of Representatives, with a request that the same may be referred to a select committee of both Houses, with leave to report thereon by resolution or otherwise.

Whereupon,

It was ordered that Messrs. Ray, Clark, Graham and Baird, be appointed to that committee on the part of the Senate, and that Mr. Ray inform the House of Representatives thereof.

Mr. Palmer presented the petition of Thomas Holder, praying for a change of the state road from Evansville, by the way of Princeton, Vincennes and Carlisle to Terre Haute, which was read, and referred to the same select committee to whom was referred the petition of John James and others.

Mr. Howk presented the petition of William M'Connell and others, praying to be attached to the county of Scott, which was read, and referred to a select committee of Messrs. Howk, Burnett, Armstrong, Clendenin, Scoville and Clark.

A message from the Senate by Mr. Slaughter, a member.

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That the Senate will meet the House of Representatives in the Representative chamber, at

greeably to the resolution of this day, on to-morrow at 10 o'clock, A. M. for the purpose of electing, by joint ballot, an agent for the state of Indiana, to reside at Indianapolis, in the place of John Carr, resigned; and that the House of Representatives be informed thereof; and that Mr. Slaughter be appointed teller, on the part of the Senate.

And then he withdrew.

Mr. Everts, from the select committee, to whom was referred the petition of Thomas Brown and others, praying a removal of the seat of justice of Union county, reported a bill for re-locating the seat of justice of said county, which was read the first time, and ordered to a second reading on to-morrow.

The Senate came in and took their seats in the Representatives' Hall, when the following message was transmitted to both Houses, by his Excellency, William Hendricks, the Governor, through R. A. New, Esq. secretary of state.

Gentlemen of the Senate,

And of the House of Representatives,

MEETING you for the first time, at the period, and in the manner pointed out by the constitution, I am happy in being relieved from the details of a communication, which under different circumstances it might be my duty to make, and which usage and custom would authorize you to expect.

From my predecessor you have those events in the administration of the government which have transpired since the last meeting of the General Assembly, and your attention has been directed to those defects in our code of laws which it has been deemed important to remedy.

Coming from every district in the state, you will better know the wants and the wishes of the people on all subjects of local and municipal regulation, subjects on which you have already entered, and on which

it would be imprudent in me to interrupt your deliberations.

Though the embarrassed state of the public finances, and the pecuniary affairs of many of our fellow citizens be matter of much regret; I am happy in being able to congratulate you on the agricultural and social happiness of the state. At no period of our history have the productions of our soil been more abundant of the necessaries and the comforts of life, than during the present year, and at few periods has emigration afforded to us greater accessions of population than the present.

The subject of the revenue is already before you. The great defects of the present system are ably and minutely pointed out in the communication you have received. On this subject, however, permit me further to remark, that the assessments of the revenue applicable to the *ensuing* year, are estimated to exceed the expenditures of the *present* year, seven thousand dollars.

In this view of the subject, should entire collections be made, and the expenditures of the next year not exceed those of this, there would be found in the treasury at the close of that year, a sum sufficient to meet the ordinary demands of that year, and a considerable surplus to be applied to the principal and interest of the state debt. But sufficient information is not yet obtained to determine with any kind of certainty, the effects of the system adopted by the preceding legislature.

Delay and uncertainty are prominent defects in our system. Greater expedition and absolute certainty in the collections would enable us to lessen the burdens imposed on our fellow citizens, and retain a revenue competent to the maintenance of the public credit, the current expenses of the government, and the disbursement of the public debt in a short period of time.

It would give me great pleasure to co-operate at this

time in a work so desirable. But it is not to be expected that the legislature would materially change a system of revenue, before they can be informed of the sufficiency or insufficiency of that system. By so doing, the responsibility of the system adopted would be borne by those who adopted it, while they would legislate in the dark, both in doing away the old system, and in enacting the new.

Twenty thousand dollars of the revenue applicable to the ensuing year are pledged and appropriated for the redemption of a like sum of treasury notes, authorized to be put in circulation by a law of last session. This will create a deficit of that amount, for the service of the year, to be supplied as you may direct, by a loan, or the issue of treasury notes.

In the revenue of the present year, we shall reap the first fruits from lands sold by the general government, within the limits of the state, since the first day of December, 1816. This source of revenue will be continually growing, and is *that*, to which we may look with certainty, for the extinction of the state debt, and for the diminution of our taxes in support of the government.

To this source of revenue we may look with the most agreeable prospect. But in doing this we ought not to lean too much upon it. Its proceeds at present must be very small, and it would not be good policy to increase the public debt, with this prospect of payment. By so doing, we would take upon us a responsibility which would outlive the motives inducing it. We would pursue a policy exhausting to ourselves, in the payment of heavy sums of interest, and creating a burden for those who come after us, which under ordinary circumstances we have no right to impose.

The amount of revenue advisable to be sustained at this period of the state government, would seem to be that, which will defray the current expenses of the gov-

ernment, and commence the gradual payment of the state debt. This amount from the source just named, will be increasing every year, and give us prospects of release from fiscal embarrassments at no distant day.

The payment for our lands; the extensive consumption of European goods amongst us, and the want of a market for our surplus produce, has put the balance of trade largely against the western country, and produced general and individual distress. But the improvement of the means within our power; the industrious pursuits of agriculture, a resort to domestic fabrics to the greater exclusion of foreign merchandize, is relieving, and will continue to relieve us, from the ruinous tendencies of former times. The fertility too, of our extensive soil; and the tide of emigration from almost every state, guarantees to us at no distant day, a rank among the first states in the Union. The great interests of the state, are agriculture and domestic manufactures. *With them and for them*, but little at this time seems necessary to be done; and that legislation is the best, which imposes the lightest burdens on the one, and most encourages the other.

If asked on this, or any other occasion, for the principles which should direct us in the administration of the government, my answer would be this. Our intercourse with the general and state governments, should be of the most harmonious kind. The government ought to be administered in the exercise of that frugality and economy, which every prudent man employs in his own affairs. This will include the maintenance of the public credit, and the payment as speedily as we can, of the state debt. Expenditures of the public money should be vigilantly guarded, and all needless expenses, avoided. The revenue thus reduced by every possible economy, should be a sound one; that being paid by the honest hand of industry, it might not be exposed to a process of brokerage, ex-

change and depreciation, from which the present system of treasury notes cannot be protected.

We ought to leave free and unshackled, as far as we can, our resources for improvement, and purposes, which the interests of the state may hereafter require; if not of our hands, at the hands of those who succeed us. In this way we shall best discharge our own duties, and best consult the interests of the community. Let us not loose sight of those great objects, to which the means of the state should at some future day be devoted—The navigation of the falls of the Ohio—the improvement of the Wabash, the White rivers, and other streams, and the construction of the national and other roads through the state. But to these objects, great as they are, the fostering hand of the government cannot be extended, while its finances are embarrassed by a state debt.

You have already before you the unrepresented situation of several new counties of the state. To this subject permit me to ask your favorable attention.

For defraying the expenses of transferring convicts to the Penitentiary, it is believed that no provision is yet made by law. From the contiguity of some counties, and the remoteness of others, equal justice would seem to require that this should be a state, and not a county charge. A further appropriation is also requisite for that institution. This seems necessary, not only for its prosperity, but for its existence.

At the last session of congress a law passed authorizing the selection of school lands for Clark's Grant, and that part of the Vincennes Donation Tract for which no selections had previously been made. The propriety of legislative provision for the protection and improvement of the property thus acquired, is respectfully submitted.

That our fellow citizens may participate in the choice of a chief executive magistrate of the Union, it is necessary that provision be made by law. This

sought to be done at the present or the ensuing session.

In your deliberations on these, and all other subjects which your wisdom may suggest, permit me to assure you of all the co-operation and aid, which it may be within my power to afford.

WILLIAM HENDRICKS.

December 5, 1822.

Whereupon,

The Senate withdrew to their chamber.

On motion by Mr. Smith,

Resolved, That a committee be appointed to procure the printing of 1000 copies of the said message, for the use of this House;

Whereupon,

The speaker appointed Messrs. Smith and Scott that committee.

The Speaker laid before the House the annual reports of William H. Lilly, auditor of public accounts, and Daniel C. Lane, treasurer of state, which were read, and referred to the committee of Ways and Means.

The Speaker laid before the House a communication from William H. Lilly, auditor of public accounts, and Daniel C. Lane, treasurer of state, requesting the appointment of a joint committee of both Houses, to enquire into their official conduct;

Whereupon,

Mr. Smith offered the following resolution:

Resolved, That a committee of five be appointed to act with a similar committee to be appointed on the part of the Senate, to examine into, and investigate the official conduct of William H. Lilly, auditor of public accounts, and Daniel C. Lane, treasurer of state, and report the result of their enquiries, to this House, and that the Senate be informed thereof, and a similar resolution on their part requested, which resolution was accordingly adopted, and Messrs. Smith,

Scott, Stapp, Pennington and Everts, appointed a committee in pursuance thereof, on the part of this House.

On motion by Mr. Hunt,

Resolved, That this House do now proceed to the election of an enrolling clerk, who shall draw pay only from the time his services may be required by this House, which was negatived.

On motion by Mr. Hunt,

Resolved, That when a motion or resolution is made and negatived, it shall not be necessary to enter it on the journal, unless the same shall be requested by a member.

A message from the Senate by Mr. Clark, a member:

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee to be appointed on the part of the House of Representatives, for the purpose of examining the offices of the auditor and treasurer; and also for the purpose of enquiring into the official conduct of those officers, in conformity with a request made by those officers, and report thereon, and that the House of Representatives be informed of the same, and a similar resolution on their part requested; and that Messrs. Clark, Daniel, Chambers, Gray, Jenckes and Ray, be that committee.

And then he withdrew.

The Speaker laid before the House sundry communications from the Executives of a number of the states in the Union, to the Executive of this state, which had been laid before the Senate by Ratliff Boon, late Lieutenant and acting Governor of this state, and by them referred to this House, which were read:

Whereupon,

On motion by Mr. Stapp,

Resolved, That the several communications from his excellency Ratliff Boon, late lieutenant and acting Governor of this state, to the Senate, and by them referred to this House, be referred to a select committee, appointed to act in conjunction with the committee appointed on the part of the Senate; with leave to report by resolution or otherwise, to the two Houses respectively.

Ordered, That the Senate be informed thereof; and that Messrs. Stapp, Bassett, Beckes, Bush, Hill, Hawk, Everts, Childs, James and Scott, be the committee, appointed in pursuance of said resolution.

And the House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 6, 1822.

House met pursuant to adjournment.

On motion by Mr. Beckes,

Resolved, That the secretary of state, be requested to furnish this House a copy of a bond from the citizens of Harrison county, to the state, for \$1000; also, the proposals and contract for stationery, for the present session; and that a copy of this resolution be furnished him.

Mr. Dumont, presented the petition of John F. Siebenthal and others, praying an amendment to the militia law.

Which was referred to the committee on military affairs.

On motion by Mr. Bassett,

Resolved, That a standing committee on state roads, be appointed.

Whereupon,

Messrs. Bassett, Hunt, Pennington, Palmer, Beckes, Casey, Lucas and Molder, were appointed said committee.

On motion by Mr. Beckes,

Resolved, That seats be provided in the Representatives' chamber, for the hon. Isaac Blackford, one of the judges of the supreme court, and for such of the officers of state, as may occasionally attend this House; and that the Speaker attend to having this resolution carried into effect.

Mr. Smith, agreeably to notice, introduced a bill to authorize the agent of the county of Fayette, to sell and convey certain public ground in the town of Connorsville, the seat of justice of said county.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Scott,

Resolved, That seats be prepared for the Senate, on the right of the Speakers' chair, that the two Houses may now, by joint ballot, proceed to the election of an agent for the state, to reside at the seat of Government; and that a teller be appointed on the part of this House.

Whereupon,

Mr. Scott was appointed teller.

Ordered, That the Senate be informed thereof, and their immediate attendance requested.

Whereupon,

The Senate came in and took their seats in the Representatives' chamber; and the two Houses proceeded, by joint ballot, to elect said agent, to fill the vacancy occasioned by the resignation of gen. John Carr.

Whereupon,

On examination, it was found that Bethuel F. Morris, was duly elected agent.

And the Senate retired.

Mr. Damont presented the report of the commissioners appointed to locate a state road from Vevay by Versailles, to intersect the state road from Lawrenceburg to Indianapolis, which was referred to a select

committee of Messrs. Dumont, Daniel, Hill, Armstrong and Smith.

Mr. Hunt submitted the following resolution:

Resolved, That the committee of Ways and Means be instructed to prepare a bill, providing for the assessment and collection of revenue, upon the *ad valorem* principle, which resolution was read and laid on the table.

On motion by Mr. Lane,

The House now proceeded to the election of an enrolling clerk, and upon examining the ballots, it appeared that Isaac Heather was duly elected enrolling clerk.

The Speaker laid before the House, a communication from D. C. Lane, treasurer of state, and accompanying documents, in relation to the correspondence and negotiation between said Lane, and the hon. James Noble, agent for the United States, relative to the debt due by this state, to the state bank, and which debt was transferred by said bank to the United States.

Which were read and referred to the committee of Ways and Means.

Mr. Everts introduced a bill appropriating certain state funds, for the payment of expenses incurred by transferring convicts to the penitentiary; which bill was read the first time, and ordered to be read a second time to-morrow.

Mr. Stapp, from the select committee on that subject, reported a bill, repealing the second and third sections of the act, confirming the fees of the several officers therein named.

Which was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the following resolution:

Resolved, By the Senate, that a committee be appointed on the part of the Senate, to act with a sim-

ilar committee to be appointed on the part of the House of Representatives, to enquire into the expediency or inexpediency of leasing the several seminary townships in this state, for the term of ninety nine years, renewable forever, upon the principle that the highest bidder, his heirs or assigns, for each half quarter section, shall pay six per centum per annum, upon such bid forever. The said half quarter section forever to be held liable to the payment of such interest, and subject to forfeiture and reversion to the state, upon failure to pay such interest by the party, or his agent legally interested, and that said committees report to their respective Houses, by bill or otherwise, that the House of Representatives be informed thereof, and a similar resolution requested on their part; and Messrs. Daniel, Slaughter, Ray, Thompson and Graham, are appointed a committee on the part of the Senate.

And he withdrew.

And

On motion by Mr. Scott,

Resolved, That a committee of five be appointed on the part of this House, to act in conjunction with the committee appointed by the Senate, on the subject embraced in the above message. And

Thereupon,

Messrs. Scott, Bullock, Smith, Bush and Hunt, were appointed that committee.

Ordered, That the Senate be informed thereof.

Mr. M'Cleery, from the committee to whom was referred the petition of the inhabitants of Greensburgh and of Brookville, praying an act to vacate certain parts of said towns, reported, that it is the opinion of said committee, that Legislative interference is unnecessary, as the law now in force, makes ample provision for the cases mentioned in said petitions; in which report the House concurred.

Mr. Beckes, from the select committee to whom was referred the petition of Rachel Simpson, and also the

petition of Benjamin Olney, praying certain relief, reported a bill, giving the relief prayed for.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Lucas,

Resolved, That a committee be appointed to enquire into the expediency of electing officers for the county library, for the county of Monroe; with leave to report thereon by bill or otherwise. And

Thereupon,

Messrs. Lucas, Everts and Green, were appointed that committee.

Mr. Jackson presented the petition of John Blue, praying to be divorced from his wife, which was referred to a select committee of Messrs. Jackson, Wright of R. Dixon, Casey and Mauk.

And the House adjourned until 2 o'clock this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The Speaker laid before the House, a communication of Robert A. New, esquire, secretary of state, enclosing a copy of the bond given by sundry citizens of Harrison county to the state, and the contract entered into for the public printing, and the different propositions made to do said printing, as also the different propositions to furnish stationery, fuel, &c. to the General Assembly, agreeably to a resolution on that subject, passed by this House on this day.

Which was read and referred to a select committee of Messrs. Beckès, Scott and Everts.

On motion by Mr. Dumont,

The message of his excellency William Hendricks, was referred to a committee of the whole House, and made the order of the day for to-morrow.

On motion by Mr. Beckes,

Ordered, That the clerk of this House, make out a certificate of the election of B. F. Morris, agent for

the town of Indianapolis, in order that the same may be signed by the President of the Senate, and Speaker of the House of Representatives, and presented to the Governor.

The bill to abolish imprisonment for debt, was read a second time, and committed to a committee of the the whole House, and made the order of the day for Friday next.

The bill for the re-location of the seat of justice of Union county, was read a second time, and committed to a committee of the whole House, and made the order of the day for Tuesday next.

The House, according to order, now resolved itself into a committee of the whole on the bill for the relief of the securities of public officers;

Mr. Everts in the chair;

And after some time spent thereon the committee rose.

Mr. Speaker resumed the chair,

And Mr. Chairman reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, desire leave to sit again.

Whereupon,

Leave was granted.

A message was received from the Senate by Mr. Slaughter, a member, announcing that the Senate had passed a joint resolution, on the subject of the revision of the statute laws of this state, in which they desire the concurrence of this House.

The House now, according to order, resolved itself into a committee of the whole, on the bill to repeal the act, entitled an act, authorizing called sessions of the circuit courts, within this state;

Mr. Pennington in the chair;

And after some time spent thereon, the committee rose;

Mr. Speaker resumed the chair,

And Mr. Chairman reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same, by striking out from the enacting clause, and inserting a section in lieu thereof; in which amendment he asked the concurrence of the House.

And the House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 7, 1822.

House met pursuant to adjournment.

The joint resolution from the Senate, relative to the revision of the statute laws of this state, was taken up, and read the first time. And

On motion by Mr. Hawk,

The rule was dispensed with, and the said resolution was read a second and third time, and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Scott,

Resolved, That a committee for enrolled bills, be appointed, on the part of this House. And

Thereupon,

Messrs. Scott, Hawk and Smith, were appointed that committee, on the part of this House.

Ordered, That the Senate be informed thereof; and a similar committee requested on the part of the Senate.

Mr. James, from the select committee, to whom was referred the petition of the inhabitants of Decatur county, reported a bill to legalize the proceedings of the board of county commissioners of said county.

Which was read the first time, and the rule being dispensed with, the same was read a second time and

committed to a committee of the whole House, and made the order of the day for this day.

Whereupon,

On motion,

The House now resolved itself into a committee of the whole on said bill:

Mr. Stapp in the chair;

And after some time spent thereon, the committee rose.

Mr. Speaker resumed the chair,

And Mr. Chairman reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and had directed him to report said bill without amendment, and ask the concurrence of the House.

In which report the House concurred.

Ordered, That said bill be engrossed and read a third time on Monday next.

Mr. Pennington, having obtained leave, introduced a bill to repeal part of the 20th section of the act, appointing commissioners to lay off a town, on the site selected for the permanent seat of government.

Which was read the first time, and ordered to be read a second time on Monday next.

A message was received from the Senate, by Mr. Ray a member, announcing that the Senate had appointed Messrs. Harrison, Ray and Jenckes, a committee for enrolled bills, on their part, to act in conjunction with the committee appointed on the part of this House.

The bill to repeal the 2d and 3d sections of the act, amending and confirming the act, regulating the fees of the several officers therein named.

The bill authorizing the agent of Fayette county, to sell a certain piece of ground, in the town of Connersville, commonly called the Old Public Square.

The bill appropriating certain state funds, for de-

fraying expenses incurred by conveying convicts to the state prison.

And the bill for the relief of Benjamin Olney and Rachel Simpson; were taken up and severally read the second time, and committed to a committee of the whole House, and made the order of the day for Monday next.

On motion,

The House now proceeded to consider the amendment made in committee of the whole, to the bill to repeal the act, authorizing called sessions of the circuit court, which was made by striking out said bill, from the enacting clause, and inserting in lieu thereof, a section, providing that no prisoner confined in prison, shall be tried by the associate judges, at such called court, unless he shall request or petition for such trial, after having two days to consider and consult with counsel; and providing that it shall be the duty of the prosecuting attorney of the county where such case may occur, to attend and prosecute in such cases.

And on the question, will the House concur in the amendment made in committee of the whole? it was decided in the negative; and the yeas and nays being demanded by Messrs. Smith and Hunt; the votes were as follows—yeas 11, nays 29.

And those who voted in the affirmative were.

Messrs. Clark,	Jordan,
Childs,	Mauk,
De Pauw,	Scoville,
Dumont,	Wright of W. and
Green,	Mr. Speaker.
Hunt,	

And those who voted in the negative were,

Messrs. Armstrong,	James,
Bassett,	Jackson,
Bullock,	Lane,
Burnett,	Lucas,
Bush,	Marshall,

Beckes,
Bently,
Clendenin,
Daniel,
Dixon,
Everts,
Glover,
Howk,
Hill,
Julian,

M'Cleery,
Molder,
Pennington,
Palmer,
Rout,
Scott,
Smith,
Stapp and
Wright of R.

On motion by Mr. Smith,

The said bill was then re-committed to a committee of the whole House, and made the order of the day for this day.

Whereupon,

On motion,

The House now resolved itself into a committee of the whole on said bill:

Mr. Scott in the chair;

And after some time spent thereon, the committee rose.

Mr. Speaker resumed the chair,

And Mr. Chairman reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking it out from the enacting clause, in which amendment he asked the concurrence of the House.

And on the question of concurring in the said amendment, it was decided in the affirmative; and the yeas and nays being demanded by Messrs. Smith and Stapp; the votes were as follows—yeas 23, nays 13.

And those who voted in the affirmative were,

Messrs. Bullock,
Beckes,
Bently,
Clark,
Clendenin,
Casey,
Childs.
Daniel,
De Pauw;

Hunt,
Lane,
M'Cleery,
Mauk,
Palmer,
Rout,
Scoville,
Scott,
Wright of W.

Dixon,
Dumont.
Everts,

Wright of R. and
Mr. Speaker,

And those who voted in the negative were.

Messrs. Armstrong,
Bassett,
Burnett,
Bush,
Glover.
Howk,
Hill,

Jordon,
Julian,
James,
Jackson,
Marshall and
Molder.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed an engrossed bill, entitled an act, providing for the more speedy printing of the acts of the General Assembly; in which they desire the concurrence of the House of Representatives.

And he withdrew.

The said bill was read the first time and ordered to be read a second time on Monday next.

Mr. Scott, from the joint committee for enrolled bills, reported that the said committee had examined the enrolled joint resolution respecting the revision of the statute laws, and find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate for the signature of the President.

And the House adjourned until 2 o'clock, this afternoon,

2 o'clock, P. M.

House met pursuant to adjournment.

The Speaker laid before the House the report and proceedings of Orlando Raymond, Esq. agent for the state prison.

Which was read and referred to the committee of ways and means.

On motion, by *Mr. Everts*,

The House reconsidered the vote taken on concurring in the report of the chairman of the committee of the whole, to whom was referred the bill to repeal the act, authorizing called sessions of the circuit courts, and from which it appeared said bill had been amended, in committee of the whole, by striking it out from the enacting clause. And

Thereupon,

The question again recurred, will the House concur in said amendment? which being stated from the chair:

Mr. Beckes moved, that the further consideration of said bill and amendment be indefinitely postponed.

But the previous question being called for by three members, was

Thereupon,

Put and carried in the affirmative. And

Thereupon,

The main question, will the House concur in said amendment made in committee of the whole, by striking out said bill, from the enacting clause? was then put, and decided in the negative, and the yeas and nays being demanded by *Messrs. Hunt and Smith*; the votes were as follows—yeas 15, nays 23.

Those who voted in the affirmative were,

Messrs. Rullock,

Beckes,

Childs,

Clark,

Daniel,

Dixon,

Hunt,

M'Cleery,

Mauk,

Palmer,

Scoville,

Scott,

Wright of R.

Wright of W. and

Mr. Speaker.

And those who voted in the negative were,

Messrs. Armstrong,

Bassett,

Burnett,

Bush,

Jordon,

Julian,

James,

Jackson,

Casey,
Clendenin,
De Pauw,
Everts,
Glover,
Howk,
Hill,

Lucas,
Marshall,
Molder,
Pennington,
Rout.
Smith and
Stapp.

Ordered, That said bill be engrossed for a third reading on Monday next.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee did on this day, present to the Governor for his approbation and signature, the joint resolution of this General Assembly, relative to the revision of the statute laws of this state.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, DECEMBER 9, 1823.

House met pursuant to adjournment.

David Robb, a member from Gibson county, and John Johnson, a member from the county of Pike, appeared, produced their credentials, were sworn into office by the hon. Judge Floyd, and took their seats accordingly, as members of this House.

Mr. Smith, having obtained leave, introduced a joint resolution, to authorize the auditor of state, to audit the allowance of the sheriff of Fayette county, for a part of the state revenue for 1819; which was read the first time, and ordered to a second reading on to-morrow.

Mr. Stapp, having obtained leave, introduced a bill, providing for the election of electors of President and Vice President of the United States, which was read the first time, and ordered to be read a second time on to-morrow.

The Speaker laid before the House the report of John G. Henderson, trustee of the public seminary of

Washington county, which was duly certified by the clerk of the circuit court of said county, as having been duly approved of by the board of county commissioners of said county.

Which was read and referred to the committee on education.

Mr. Everts, from the select committee to whom was referred the petition of the administrators of Richard Minor, deceased, reported a bill, authorizing the administrators of said Richard Minor, deceased, to sell a certain tract of land therein named, for the benefit of said heirs.

Which was read the first time, and ordered to a second reading on to-morrow.

On motion by Mr. Scott,

Resolved, That the committee of Ways and Means be instructed to enquire into the propriety of making an appropriation by law, for the payment of those witnesses, in the case of the impeachment of Curtis Gilbert, clerk of Vigo circuit court, who have not heretofore received any compensation; with leave to report by bill or otherwise.

Mr. Dumont presented the petition of sundry citizens of this state, praying for an amendment of the laws of this state, respecting actions of slander, which was read and referred to the judiciary committee.

Mr. Bassett having obtained leave, introduced a bill, to establish a state road from Aurora to Napoleon.

Which was read the first time and ordered to a second reading on to-morrow.

Mr. Stapp offered the following resolution:

Resolved, That six hundred copies of the journal of the Senate, and a like number of the House of Representatives, at the present session of the General Assembly, be printed by the public printer, in pamphlet form, for the use of the members of the two Houses, and that the secretary of the Senate, and the clerk of

the House of Representatives be, and they are hereby directed to furnish their respective journals, from day to day, and that a committee of one member, on the part of each House, be appointed to attend to carrying into effect the above resolution.

Ordered, That the Senate be informed thereof, and a similar resolution on their part requested; and that be the committee on the part of this House.

Mr. Dumont having obtained leave, introduced a bill, to enable certain obligors, to explain by parol, the intention of their contracts, and for other purposes.

Which was read the first time, and ordered to be read a second time on to-morrow.

Mr. Bush presented the petition of Isaac Goble and others, praying for a change in the state road, leading from the Ohio line, by the way of Brookville to Indianapolis.

Which was read and referred to the standing committee on state roads.

Mr. Hawk presented the petition of Reuben H. Murray and Robert Gray, the undertakers of the building of the state prison at Jeffersonville, praying for certain relief therein named.

Which was read and referred to a select committee of Messrs. Hawk, Robb, James, Smith and Wright of Randolph.

The engrossed bill from the Senate, providing for the more speedy printing of the acts of the present session of the General Assembly, and the bill to repeal part of the 20th section of the act, entitled an act, appointing commissioners to lay off a town on the site selected for the permanent seat of government—approved, January 6, 1821, were severally read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

The engrossed bill, entitled an act, to legalize the

proceedings of the board of county commissioners of Decatur county, was read the third time and passed.

The engrossed bill, entitled an act, to repeal an act, entitled an act, to authorize called sessions of the circuit courts within this state, for the purposes therein named—approved, January 2, 1822, was then taken up and read the third time.

Whereupon,

Mr. Robb moved to indefinitely postpone the further consideration of said bill; which motion was decided in the negative.

And the ayes and noes being demanded by Messrs. Hunt and Smith, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Bullock,	Lane,
Beckes,	M'Cleery,
Bently,	Mauk,
Clark,	Robb,
Childs,	Wright of R.
Dixon,	Wright of W. and
Dumont,	Mr. Speaker—15.
Johnson,	

And those who voted in the negative were,

Messrs. Armstrong,	Julian,
Bassett,	James,
Burnett,	Jackson,
Bush,	Lucas,
Clendenin,	Marshall,
Casey,	Molder,
Daniel,	Pennington,
De Pauw.	Palmer,
Everts,	Rout,
Glover,	Scott,
Howk,	Stapp and
Hill,	Smith—25.
Jordan,	

And on the question, shall the said bill pass? it was decided in the affirmative.

Ordered, That the said bill be entitled "an act;"

and that the same be carried to the Senate for their concurrence.

Mr. Speaker laid before the House a communication in writing from his excellency William Hendricks, the Governor, announcing the appointment of John W. Payne, Esq. as his private secretary.

On motion,

The House now resolved itself into a committee of the whole, on the message of his excellency Ratliff Boon, late lieutenant and acting Governor, together with the message of his excellency William Hendricks, the Governor:

Mr. Robb in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Robb reported, that the committee of the whole, to whom was referred the message of his excellency Ratliff Boon, late lieutenant and acting Governor, together with the message of his excellency William Hendricks, the Governor, had according to order, had the same under their consideration, and adopted sundry resolutions as follows, to wit.

1st. *Resolved*, That so much of the communication of his excellency Ratliff Boon, as relates to the assessment and collection of the revenue, be referred to the committee of ways and means.

2d. *Resolved*, That so much of said message as relates to the manner of conducting contested elections, be referred to the committee of elections.

3d. *Resolved*, That so much of said message as relates to the proceedings had upon the quo warranto, against the Bank of Vincennes, be referred to the committee on the judiciary.

4th. *Resolved*, That so much of said message as relates to the revision of the statute laws of this state, be referred to the same committee.

5th. *Resolved*, That so much of the said message as

relates to the distribution of the acts and journals, be referred to the same committee.

6th. *Resolved*, That so much of the same message as relates to the right of representation in the counties within the limits of the New Purchase, be referred to the same committee.

7th. *Resolved*, That so much of the same message as relates to military elections, be referred to the committee on military affairs.

8th. *Resolved*, That so much of the same message as relates to the navigation of the Wabash river, be referred to a select committee.

9th. *Resolved*, That so much of the message of his excellency Governor Hendricks, as relates to a loan or re-issue of treasury notes, be referred to the committee of ways and means.

10th. *Resolved*, That so much of the same message as relates to the navigation of the Ohio and White rivers, be referred to a select committee.

11th. *Resolved*, That so much of the said message as relates to a disposition of the school sections for Clark's Grant and the Vincennes donation tract, be referred to the committee on education.

And that the said several committees have leave to report by bill or otherwise, on the said several subjects.

In which several resolutions, he asked the concurrence of the House. And

On motion,

The House concurred therein.

Messrs. Scott, Robb, Burnett, Hill and Dumont, were appointed a committee in pursuance of the 8th resolution, and Messrs. Howk, Smith, Lane, De Pauw and James, were appointed a committee in pursuance of the 10th resolution.

And the House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, DECEMBER 10, 1823.

House met pursuant to adjournment.

Mr. Smith from the committee appointed to procure the printing of 500 copies of the message of Ratliff Boon, lieutenant and acting Governor, as also 1000 copies of his excellency William Hendricks' message, for the use of the members of this House; reported that the said committee had performed the duty assigned them, and that the said copies were ready for delivery, at the clerks' table.

Whereupon,

The members came forward and received the same.

Mr. Wright, of W. from the select committee, to whom was referred the petition of George Dixon and others, praying for a new county, to be formed out of the county of Delaware, reported a bill pursuant to the prayer of the petitioners.

Which was read the first time, and ordered to be read a second time on to morrow.

Mr. Johnson of Pike, presented a petition of Thomas Crayton and others, praying for a change in the state road, leading from the mouth of White river, to the Highbanks, as also the petition of Philip Catt and John Catt, praying a change in the state road from Mount Carmel, to the Highbanks on White river, together with the accompanying documents.

Which were referred to the standing committee on state roads.

On motion by Mr. Robb,

Mr. Johnson was added to said committee.

Mr. Smith from the committee on the judiciary, to whom was referred the petition of sundry citizens of this state, praying "that a law may be passed, providing, that in all actions of slander, where the plaintiff shall not recover more than twenty dollars, the plaintiff shall be compelled to pay all costs accruing thereon, or where the costs shall exceed the damages

recovered, the defendant shall not be liable to pay more costs than damages;" reported that said committee, had had the same under consideration and were of opinion that the prayer of the petitioners, was unreasonable, and ought not to be granted.

In which report the House concurred.

Mr. Smith from the same committee, reported a bill, supplemental to an act, to amend an act, reducing into one, all the acts, and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Robb, presented the petition of William Prince and others, praying a change in the state road leading from a point on the Wabash, opposite Mount Carmel, and from thence to Petersburg in Pike county.

Which was referred to the standing committee on state roads.

On motion,

Mr. Robb was added to said committee.

Mr. Beckes, from the select committee, to whom was referred the bond given by sundry citizens of Harrison county, for one thousand dollars, to the Governor of the state of Indiana and his successors in office, for the use of the state; also the proposals made to the committee for contracting for stationary, for the present session of the General Assembly, reported as follows, viz:

'That from an inspection of the Auditors' office, there has been collected on the said bond, and paid into the treasury, the sum of two hundred and twenty one dollars, leaving a balance of seven hundred and seventy nine dollars, due upon said bond exclusive of interest.

'That the committee further find that, upon examination of the proposals above mentioned, that there appears to be one, whose proposals were lower than

those of William Truit, the person with whom the contract was made, which your committee find was owing to the laying proposal requiring round silver in payment, which your committee are of opinion the contracting committee were not authorized to contract for.

Your committee therefore recommend the adoption of the following joint resolution.

Resolved, By the General Assembly of the state of Indiana, that Harbin H. Moore, attorney general for the state of Indiana be, and he is hereby directed to proceed to collect the balance due on a bond now on file in the office of the secretary of state, executed by Allen D. Thom, Dennis Pennington and others, to the Governor of the stat of Indiana, and his successors in office, for the use of said state; and that he be authorized to receive payment in treasury paper, provided payment be made within six months from the passage of this resolution, and that the attorney general be furnished with a copy of the same.

This resolution to take effect and be in force from and after its passage.

In which report the House concurred.

And the said resolution was read the first time and ordered to be read a second time to morrow.

Martin M. Ray, esquire, who was appointed a committee by a joint resolution of the present General Assembly, to wait upon the honorable Benjamin Parke, and ascertain from him what progress, if any, he has made in the revision of statute laws of this state, pursuant to an act of the General Assembly, at their last session, reported that he had performed the duty assigned him by said resolution; and presented a communication in writing, from his honor judge Parke, from which it appears that he has not commenced the revision, and from indisposition, declines the appointment of revisor.

Mr. Pennington having obtained leave, presented a bill, respecting clerks and recorders.

Which was read the first time. And

On motion by Mr. Beckes,

The said bill was rejected.

Mr. Wright of W. having obtained leave, introduced a bill, giving to the citizens of Indianapolis, a public burying ground.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion,

Ordered, That Mr. Pennington be added to the committee of ways and means.

Mr. Dumont presented the petition of John Fenton, praying to be divorced from his wife, Polly Fenton.

Which was read and referred to a select committee of Messrs. Dumont, Johnson of P. Scott, Wright of R. Armstrong and Scoville.

Mr. Armstrong having obtained leave, presented the petition of John Fulton, praying to be re-imburshed certain taxes, which were improperly collected from him.

Which was referred to a select committee of Messrs. Armstrong, Runt, Smith, Bush and Casey.

Mr. Hawk, from the committee on elections, reported that said committee had examined and compared the certificates and credentials of the election of David Robb, a member from the county of Gibson, and John Johnson, a member from the county of Pike; and found those two gentlemen duly elected; and entitled to their seats, as members of this House.

In which report the House concurred.

On motion by Mr. Stapp,

Mr. De Pauw was added to the committee on military affairs.

The House proceeded to consider the orders of the day.

The bill providing for the election of President and

Vice President of the United States was read the second time, and laid on the table.

The joint resolution to authorize the auditor of public accounts, to audit the allowance of the sheriff of Fayette county, for a part of the state revenue, for the year 1819.

The bill to authorize the administrators of Richard Minor, deceased, to sell a portion of the real estate of the minor heirs of said deceased.

The bill to establish a state road from Aurora, in Dearborn county, to Napoleon in Ripley county.

And the bill to enable certain obligors to explain by parol, the intention of their contracts, and for other purposes, were each taken up and severally read the second time, and committed to a committee of the whole House, and made the orders of the day for to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill for the relocation of the seat of justice of Union county;

Mr. Dumont in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dumont reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he requested the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That said bill be engrossed for a third reading on to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill appropriating state funds, to defray certain expenses incurred by conveying convicts to the state prison;

Mr. James in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. James reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through the same, desired leave to sit again.

Whereupon,

On motion by Mr. Howk,

The committee of the whole were discharged from the further consideration of said bill. And

On motion,

The said bill was re-committed to a select committee of Messrs. Howk, Beckes, Everts, Robb and Marshall, to consider and report thereon.

And the House adjourned until 2 o'clock this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The House now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "an act, providing for the more speedy printing of the statute laws of the present session of the General Assembly;

Mr. Hunt in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hunt reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and had made one amendment thereto, in which he desired the concurrence of the House.

On motion,

The House concurred in said amendment.

Mr. Robb then moved to amend said bill, by striking out the 2d section thereof, which reads as follows:

Sec. 2. And the secretary of state shall be allowed such compensation for the duties enjoined on him in the preceding section, as the Governor, for the time

being, may deem just and reasonable, to be paid out of the contingent fund.

And on that question, the yeas and nays being demanded by Messrs. Robb and Johnson, of P. it was decided in the negative; and the votes were as follows—yeas 18, nays 22.

And those who voted in the affirmative were.

Messrs. Armstrong,	Lucas,
Bullock,	Molder,
Clendenin,	M'Cleery,
Casey,	Mauk,
Childs,	Pennington,
De Pauw,	Palmer,
Howk,	Robb,
Jordan,	Wright of R. and
Johnson of P.	Wright of W.

And those who voted in the negative were,

Messrs. Bassett,	Hunt,
Burnett,	James,
Bush,	Jackson,
Beckes,	Lane,
Bently,	Marshall,
Clerk,	Rout,
Daniel,	Scott,
Dixon,	Scaville,
Dumont,	Smith,
Green,	Stapp and
Glover,	Mr. Speaker.

Ordered that said bill be read a third time to-morrow.

The House now, according to order, resolved itself into a committee of the whole, on the bill for the relief of Benjamin Olney and Rachel Simpson;

Mr. Burnett in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burnett reported, that the committee of the whole had, according to order, had the said bill under consideration, and had gone through the same and

directed him to report said bill without amendment.

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Jenckes, a member, announcing that the Senate had passed an engrossed bill, entitled an act, to amend an act, entitled an act, for the formation of a new county out of the counties of Owen and Vigo, and north of Owen; in which they request the concurrence of the House of Representatives.

And he withdrew.

And the said bill was taken up, read the first time and order to be read a second time to-morrow.

The House, according to order, resolved itself into a committee of the whole, on the bill to authorize the agent of Fayette county, to sell certain public ground, in the town of Connersville, in said county;

Mr. Bassett in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bassett reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and made no amendment thereto; and directed him to report the same without amendment.

On motion,

Ordered, That said bill be engrossed for a third reading on to-morrow.

The House now, according to order, resolved itself into a committee of the whole, on the bill to repeal the act, entitled an act, to amend an act, entitled an act, directing the mode of proceeding in impeachments;

Mr. Childs in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Childs reported, that the committee of the whole had, according to order, had the said bill under

consideration, had gone through the same, and directed him to report said bill without amendment.

On motion,

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion,

The further orders of the day were postponed until to-morrow.

Mr. Bassett, from the standing committee on state roads, reported a bill on that subject.

Which was read the first time, and ordered to a second reading to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 11, 1822.

House met pursuant to adjournment.

The Speaker laid before the House, the report of John Brownlee, trustee of the public seminary for the county of Gibson; from which it appears, there is in his hands, the sum of \$437 6¼, of seminary funds of said county.

Which was read and referred to the committee on education.

On motion by Mr. Pennington,

Resolved, That a committee be appointed to wait on the treasurer of state, and request him to lay before this House, a copy of the contract, made for engraving ten thousand dollars of treasury notes, of the denomination of one dollar, together with a detailed account of the payment made the engraver, if any, and the amount still due and unpaid, and the amount of the expenses attending the same.

Whereupon,

Messrs. Pennington, Bullock and Glover, were appointed said committee.

Mr. Burnett, presented the petition of John Kelly and others, praying for a change in the state road from New Albany to Salem.

Which was read and laid on the table.

Mr. Glover presented the petition of William Flinn and others, of Jackson county, praying that a part of said county may be attached to the county of Lawrence.

Which was read and referred to a select committee of Messrs. Glover, James, Johnson of P. Hill, Dumont and Childs.

On motion,

The House proceeded to consider the resolution offered by Mr. Stapp, which was ordered to lie on the table, on the subject of printing the journal of the two Houses of the present General Assembly.

Whereupon,

The same was taken up and read, and

On motion by Mr. Hawk,

The said resolution was amended by striking out the words "six hundred," and inserting in lieu thereof, the words "five hundred," in that part which provides for the number of copies of the journal of the House of Representatives. And

On motion by Mr. Pennington,

The same was further amended, by striking out the word "six," and inserting the word "three" in that part of said resolution, which provides that six hundred copies of the journal of the Senate, should be printed for the use of the members of the General Assembly. And

On motion,

The House adopted the said resolution as amended.

Mr. Hawk from the committee to whom was referred the petition of Reuben H. Murray and Robert Gray, praying certain relief, reported a bill, giving the relief prayed for.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. James, from the committee, to whom was referred the petition of sundry citizens of Dearborn county, praying a review of the state road, leading from Rising Sun, in said county, to Versailles, in Ripley county, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Dumont, presented the petition of Messrs. Reynolds, Looker & Co. praying compensation for certain printing done in advertising lots for sale at Indianapolis.

Which petition was read and ordered to lie on the table.

Mr. Jackson, from the select committee, to whom was referred the petition of John Blue, praying to be divorced from his wife; reported that the said committee had had the same under consideration, and were of opinion, that the prayer of the petitioner was unreasonable and ought not to be granted.

In which report the House concurred.

Mr. Childs, having obtained leave, introduced a bill, to repeal the second section of an act, entitled an act, regulating the duties and jurisdiction of justices of the peace—approved, January 28, 1818.

Which was read the first time, and ordered to be read a second time to morrow.

Mr. Hunt, from the standing committee on the judiciary, reported a joint resolution providing for the election of a revisor, to revise the statutes, pursuant to the act of the General Assembly, at their last session.

Which was read the first time. And

On motion,

The rules were dispensed with, and the same was read the second time, and committed to a committee of the whole House, and made the order of the day for this day.

Mr. McCleery introduced a bill, amendatory to an act, entitled an act, to amend an act, entitled an act, to licence and regulate taverns—approved, January 28, 1820, and approved January 5, 1821, which was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, on the subject of impeachments, in which they desire the concurrence of this House.

And he withdrew.

And the said bill was read the first time. And

On motion,

The rules were dispensed with.

And the said bill was read a second and third time and passed without amendment.

Ordered, That the Senate be informed thereof.

The House proceeded to consider the orders of the day.

The bill for the formation of a new county out of the county of Delaware.

The bill to amend the act, entitled an act, reducing into one, all the acts and parts of acts regulating proceedings in actions at law and suits in chancery.

The bill giving to the citizens of Indianapolis a burying ground.

The bill providing for altering state roads, and for other purposes.

And the joint resolution, respecting a bond given by sundry citizens of Harrison county, for one thousand dollars, to the Governor and his successors in office, were each taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act, to amend the act, entitled an act, for the formation of

a new county, out of the counties of Owen and Vigo, and north of Owen, was taken up, and read the second time. And

On motion by Mr. Scott,

The same was committed to a committee of the whole House, and made the order of the day for Monday next.

The engrossed bill from the Senate, entitled an act, for the more speedy printing of the acts of the General Assembly, was read the third time and passed as amended.

Ordered, That the Senate be informed thereof, and their concurrence requested in the amendments made to said bill in this House.

The bill for the relief of Benjamin Olney and Rachel Simpson, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The bill to repeal the act, entitled an act, to amend the act, entitled an act, directing the mode of proceedings on impeachments, was taken up, and

On motion,

The further consideration of said bill, was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill to amend an act, entitled an act, amending and confirming the act, regulating the fees of the several officers and persons therein named;

Mr. Rout in the chair.

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Rout reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made one amendment thereto, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

Ordered, That said bill be engrossed and read a third time to-morrow.

A message was received from the Senate, by Mr. Baird a member, announcing, that the Senate had passed an engrossed bill, entitled an act, for the relief of Abraham Elliott, late sheriff of the county of Wayne; in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read a second time to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, DECEMBER 12, 1822.

House met pursuant to adjournment.

The Speaker laid before the House, the report of John Vawter, trustee of the public seminary, for the county of Jennings, as also the report of James Farris, trustee of the public seminary, for the county of Dubois, which were severally read, and referred to the committee on education.

Mr. Beckes presented the petition of Elisha Collins and Philip Hoover, praying certain relief.

Which was read and referred to the committee on the judiciary.

Mr. Green, introduced a joint resolution on the subject of printing.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Mauk, introduced a bill, on the subject of stays on executions.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee on military affairs,

reported a bill to amend the act, for the better regulation of the militia.

Which was read the first time, and ordered to be read a second time to morrow.

Mr. Bullock, from the select committee, to whom was referred the petition of Betsey Townsend, praying an act, to divorce her from her husband; reported, that the said committee had had the said petition under consideration, and a majority of whom, were of opinion that the prayer of the petitioner ought not to be granted.

In which report the House concurred.

Mr. Childs, from the select committee, to whom was referred the petition of James Fiddler and others, praying an extension of the state road, from Bono to Palestine, in Lawrence county, reported unfavorably to the prayer of the petitioners.

In which the House concurred.

Mr. Armstrong, from the select committee on that subject, reported a bill to amend the act authorizing the granting of letters testamentary and letters of administration, for the settlement of testate and intestate estates.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Burnett presented the petition of Clement Nance and others, of Floyd county, praying that commissioners be appointed to re-locate the seat of justice of said county.

Which was read and referred to a select committee of Messrs. Burnett, Beckes, Childs, Robb and Hawk.

On motion,

Messrs. Hawk and Robb, were added to the committee of ways and means.

Mr. Armstrong presented the petition of Samuel Patterson and John Rogers, administrators of the estate of Simpson Charlton, praying an act, autho-

rizing them to re-convey certain lands of said deceased.

Which was read and referred to a select committee of Messrs. Armstrong, Bullock, Bush, Johnson of P. Dumont and Hawk, with leave to report thereon, by bill or otherwise.

The House proceeded to consider the orders of the day.

The bill for the relief of Reuben H. Murray and Robert Gray.

The bill from the Senate, entitled an act, for the relief of Abraham Elliott, late sheriff of Wayne county.

Were each read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to re-locate the state road from Rising Sun, in Dearborn county, to Versailles in Ripley county.

Was read the second time, committed to a committee of the whole House and made the order of the day for Wednesday next.

The bill, amendatory to an act, entitled an act, to amend an act, entitled an act, to licence and regulate taverns—approved, January 28, 1820—and approved, January 5, 1821.

Was read the 2d time and ordered to be engrossed for a third reading to-morrow.

The bill to repeal the 2d section of the act, entitled an act, regulating the duties and jurisdiction of justices of the peace.

Was read the second time and ordered to be engrossed and read a third time to-morrow.

The engrossed bill for the re-location of the seat of justice of Union county.

Was taken up, read the third time; and

On motion,

The same was re-committed to a select committee of

Messrs. Pennington, Everts, James, Childs and Palmer.

A message was received from the Senate, by Mr. Thompson, a member, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to repeal the act, authorizing called sessions of the circuit court, without amendment; and had concurred in the amendment made by this House, to the engrossed bill from the Senate, entitled an act, for the more speedy printing of the acts of the General Assembly.

The engrossed bill repealing the 2d and 3d sections of the act, amending and confirming the act, regulating the fees of the several officers therein named.

Was taken up, read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate, by Mr. Baird, a member, announcing that the Senate had passed the engrossed bill from this House, entitled "an act, legalizing the proceedings of the board of county commissioners of the county of Decatur," without amendment.

The House now, according to order, resolved itself into a committee of the whole, on the bill for the relief of the securities of public officers;

Mr. Palmer in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Palmer reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through the same, desired leave to sit again.

Whereupon,

Leave was granted.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The Speaker laid before the House a communication and accompanying documents from D. C. Lane, treasurer of state, required by a resolution of this House, on yesterday, on the subject of the expenses incurred by engraving and furnishing the state with ten thousand impressions, for treasury notes.

Which were read and referred to the committee of ways and means.

A message was received from the Senate, by Mr. Slaughter, a member, announcing that the Senate had passed the following resolution:

Resolved, That the House of Representatives, be informed that the Senate have, by a former resolution, authorized the public printer to print in pamphlet form, two hundred and sixty copies of the journal of the Senate, for the use of the members of the Senate, and that the secretary of the Senate, is to furnish the printer with the journal from day to day for that purpose.

The House, according to order, resolved itself into a committee of the whole, on the bill to repeal part of the 20th section of the act, appointing commissioners to lay off a town, on the site selected for the permanent seat of Government;

Mr. Wright of R, in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Wright reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and directed him to report said bill without amendment.

Mr. Robb then moved to amend said bill, by ad-

ding the following words to the end of the first section:

“And all laws and parts of laws, allowing to the treasurer and auditor of public accounts, any fee or perquisite, which is to be paid out of the state treasury, except their annual salaries.”

And on the question, shall the said bill be so amended? it was decided in the affirmative; and the yeas and nays being demanded by Messrs. Robb and Pennington, the votes were as follows—yeas 25, nays 12.

Those who voted in the affirmative were,

Messrs. Armstrong,	Jordon,
Bassett,	Julian,
Bush,	Johnson, of P.
Bently,	Jackson,
Clark,	Molder,
Clendenin,	M'Cleery,
Casey,	Mauk,
Childs,	Pennington,
Dixon,	Palmer,
De Pauw,	Robb,
Everts,	Wright of R. and
Hawk,	Wright of W.
Hill,	

And those who voted in the negative were,

Messrs. Bullock,	James,
Burnett,	Lane,
Beckes,	Scott,
Daniel,	Stapp.
Dumont,	Smith and
Green,	Mr. Speaker.
Glover,	

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Thompson, a member, announcing that the Senate had passed an engrossed bill, entitled an act, authorizing the agent at Indianapolis, to sell lot No. 5, in square No. 57, in said town; in which they ask the concurrence of the House of Representatives.

And he withdrew.

The said bill was read the first time, and ordered to be read a second time to morrow.

A message was received from the Senate, by Mr. Gray, a member, announcing, that the Senate had passed an engrossed bill, for the relief of John Spencer, sheriff of Dearborn county, in which they ask the concurrence of this House.

And the said bill was,

Thereupon,

Read the first time, and

Mr. Beckes moved that said bill be rejected.

And on that question it was decided in the negative; the yeas and nays being demand by Messrs. Beckes and Wright, of R. the votes were as follows:

Those who voted in the affirmative were,

Messrs. Burnett,	Mauk,
Beckes,	Scott,
Johnson of P.	Wright of W. and
Lane,	Mr. Speaker—8.

And those who voted in the negative were,

Messrs. Armstrong,	Glover,
Bassett,	Howk,
Bullock,	Hill,
Bush,	Jordan,
Bently,	Julian,
Clark,	James,
Clendenin,	Jackson,
Casey,	Molder,
Childs,	M'Cleery,
Daniel,	Pennington,
Dixon,	Palmer,
Dumont,	Robb,
De Pauw,	Stapp,
Everts,	Smith and
Green,	Wright of R.—30.

Ordered, That said bill be read a second time to-morrow.

A message was received from the Senate, by Mr.

Graham, announcing that the Senate had passed the following resolution:

Resolved, That it is expedient to revise the statute laws in whole or in part, at the present.

Ordered, That the House of Representatives be informed thereof, and a similar resolution requested on their part.

And he withdrew.

And the said resolution was read, and ordered to lie on the table until to-morrow.

The engrossed bill to authorize the agent for the county of Fayette, to sell public ground in the town of Connersville, in said county, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

On motion by Mr. Smith,

The committee of the whole, to whom was referred the bill to enable certain obligors to explain their written contracts by parol evidence, was discharged from the further consideration of said bill. And

On motion,

The same was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill to establish a state road from Aurora, in Dearborn county, to Napoleon in Ripley county;

Mr. Johnson of P. in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Johnson reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made one amendment to the same, in which he was directed to ask the concurrence of the House.

On motion,

The House concurred in the said amendment.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Pennington, from the committee to whom was referred, the bill for the re-location of the seat of justice of Union county, reported, that said committee had had said bill under consideration, and had amended the same, by adding an additional section thereto, in which amendment he asked the concurrence of the House.

The said bill was then read as amended. And

On motion,

The House concurred in said amendment.

And the said bill was ordered to be engrossed for a third reading to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 13, 1832.

House met pursuant to adjournment.

Mr. Palmer presented the petition of John Duly of Sullivan county, praying a change in the state road, which passes through said county, which was referred to the standing committee on state roads.

On motion by Mr. Hawk,

The House now resolved itself into a committee of the whole, on the joint resolution providing for the election of a revisor, to revise the statute laws;

Mr. Mauk in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Mauk reported, that the committee of the whole had, according to order, had the said resolution under consideration, and had amended the same, by striking it out from the resolving clause; in which amendment he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

On motion by *Mr. Pennington*,
The further consideration of said resolution was indefinitely postponed.

On motion by *Mr. Pennington*,
The House now proceeded to consider the resolution from the Senate, on the subject of the revision of the statute laws during the present session, which was received, read and laid on the table on yesterday.

And on the question, will the House concur in said resolution? it was decided in the negative.

Ordered, That the Senate be informed thereof.

Mr. Smith, from the select committee, appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, to examine the offices of auditor and treasurer of state, and also to enquire into their official conduct, in compliance with the request of said officers, reported that the said committee had performed the duty assigned them, and had given the subject all the attention their time would warrant; and as to the official conduct of said officers, the said committee have seen or heard nothing, on investigation, that does, in their opinion, render the same in the least suspicious, or requires animadversion.

The style also, in which the books and accounts of said offices have been kept, is, in the opinion of said committee, after diligent examination, neat, correct and clerical.

On motion,

The House concurred in said report.

Mr. Smith, from the judiciary committee, to whom was referred that part of the Governor's message, which relates to the apportionment of senators and representatives in the new counties, in that part of the state, commonly called the New Purchase, reported a bill, for the apportionment of senators and representatives in the counties therein named.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee of ways and means, made the following report:

The committee of ways and means, to whom was referred the communication of D. C. Lane, Esquire, treasurer of the state of Indiana, relative to a settlement of the state debt with the hon. James Noble, have had the same under consideration, and after a faithful examination of the documents and subjects referred to your committee, they find a copy of a communication from D. C. Lane, treasurer, &c. to the hon. James Noble; by which document it appears that twenty six thousand three hundred and two dollars, and twenty eight cents, had been paid into the treasury, previous to the 31st day of January, 1822, of which sum he acknowledges himself to be ready to pay on the bonds due from this state to the United States; the sum of twenty five thousand and ninety nine dollars, reserving to himself the right of paying on the bond aforesaid, any sum in the paper of the state bank of Indiana, that may be found to be in the treasury, upon closing the various accounts of that department. And your committee find from the examination of vouchers in the hands of the treasurer, that he has paid on the bonds aforesaid, the sum of twenty five thousand one hundred and sixty four dollars, and thirty three cents, and by an examination of the receipts and expenditures of that department, between the seventeenth day of November 1821 and 31st day of January 1822, that there is a balance in favor of that department, of the sum of five hundred and ninety seven dollars and fifty eight cents, which being added to the sum paid on the Governor's bonds, amounts to the sum of \$25,761 91, leaving a balance due from that department, on said bonds, the sum of \$540 37, which sum might have been paid to the honorable James Noble, on said bonds; as appears on examination of the various accounts of that department, since the same has been closed.

All of which is respectfully submitted.

Mr. Bullock, having obtained leave, introduced a bill, on the subject of issuing fee bills.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Howk,

Resolved, That a committee be appointed to enquire into the expediency of memorializing congress, on the subject of establishing a circuit court of the United States, within this state, with leave to report thereon by memorial or otherwise. And

Thereupon,

Messrs. Howk, Smith, Robb, Dumont and James were appointed said committee.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

On motion by Mr. Scott,

Resolved, That the Senate be invited to meet this House, in the chamber of the House of Representatives, on to-morrow, at 2 o'clock, p. m. for the purpose of proceeding to the election of a president judge for the first judicial circuit of this state, and for an auditor of public accounts, and treasurer of state, and that the Senate be informed thereof, and a similar resolution requested on their part, and that Mr. Bassett is appointed teller on the part of this House, and that seats on the right of the Speakers' chair, be set apart for the accommodation of the Senate.

On motion by Mr. Beckes,

Resolved, That the committee on the judiciary be, and they are hereby instructed to draft and report to this House, a bill defining and regulating the duties of auditor and treasurer of state.

The engrossed bill for the re-location of the seat of

justice of Union county, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed of the passage thereof, and their concurrence therein requested.

The engrossed bill, repealing part of the 20th section of an act, appointing commissioners to lay off a town on the site selected for the permanent seat of government, was read the third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill to establish a permanent state road from Aurora, in the county of Dearborn, to Napoleon in the county of Ripley, was read a third time and passed.

Ordered, That said bill be entitled an act.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill from the Senate, entitled an act, for the relief of John Spencer, sheriff of Dearborn county.

The bill from the Senate, to authorize the agent for the town of Indianapolis, to sell lot No. 5, in square No. 57, in said town.

The bill, to amend the act, entitled an act, authorizing the granting of letters testamentary, and letters of administration, for the settlement of testate and intestate estates.

The bill to amend the act, for the better regulation of the militia.

The bill to limit the stay on executions to sixty days, after the 15th day of June next.

And the joint resolution on the subject of printing, were taken up, and severally read the second time, and committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Beckes submitted the following resolution:

Resolved, That a joint committee of members of this House and the Senate, be elected by a joint ballot of both Houses of the General Assembly, at the present session, for the purpose of altering, amending, revising, and compiling the statute laws of this state, and that this House do adjourn until the 15th of February next, at which time they shall convene, to receive and enact such code of laws, and that the Senate be informed thereof, and their concurrence requested.

Which resolution was read and laid on the table.

The House now, according to order, resolved itself into a committee of the whole, on the bill to abolish imprisonment for debt, in certain cases;

Mr. Scott in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Scott reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same, by striking it out from the enacting clause, in which amendment, he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

On motion by Mr. Smith,

The further consideration of said bill was indefinitely postponed.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the following resolution:

Resolved, By the Senate, that a committee of free conference be appointed on the part of this House, to act with a similar committee, to be appointed on the part of the House of Representatives, on the subject of the disagreement between the two Houses, on the resolution, on the subject of the revision of the statute laws of this state; that the House of Representatives

be informed thereof, and a similar resolution on their part be requested.

Ordered, That Messrs. Graham, Jenckes and Ray, be said committee.

And he withdrew.

And the said resolution was taken up, read, and laid on the table.

A message was received from the Senate, by Mr. Harrison, a member, announcing that the Senate had concurred in the resolution from the House of Representatives, requesting the Senate to meet them at 2 o'clock, P. M. on to-morrow, for the election of one presiding judge for the first judicial circuit, a state treasurer, and an auditor of public accounts, and that the Senate have appointed Mr. Harrison teller, on their part.

And he withdrew.

The House, according to order, now resolved itself into a committee of the whole, on the bill authorizing the administrators of Richard Minor, deceased, to sell a certain tract of land of the estate of said deceased;

Mr. Dumont in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dumont reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House.

On motion,

The House concurred in the same.

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Sholtz, a member, announcing that the Senate had passed the following resolution:

Resolved, By the Senate, the House of Representa-

tives concurring therein, that the committee, on the part of each House, on the subject of military affairs, be instructed to meet and act as a joint committee, on that subject; and that the House of Representatives be informed thereof, and a similar resolution on their part requested.

And he withdrew. And

On motion by Mr. Stapp,

Resolved, That the committee appointed by this House, on military affairs, be instructed to meet the committee on military affairs, appointed by the Senate, and act jointly on that subject; and that the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the joint resolution, authorizing the auditor of public accounts, to audit the accounts of the sheriff of Fayette county, for a part of the revenue for the year 1819;

Mr. Casey in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Casey reported, that the committee of the whole had, according to order, had the said resolution under consideration, had made no amendment thereto and had directed him to report the same without amendment.

Ordered, That said bill be engrossed for a third reading to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the joint resolution of the General Assembly, providing for the collection of a debt due the state, from the citizens of Harrison county;

Mr. Smith in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith reported, that the committee of the whole had, according to order, had the said resolution

under consideration, and had made some amendments to the same, in which they desire the concurrence of the House.

On motion,

The House concurred in said amendments.

Ordered, That said bill be engrossed and read a third time to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 14, 1822:

House met pursuant to adjournment.

Mr. Smith from the joint committee for enrolled bills, reported that the said committee had examined the enrolled bill, entitled an act, providing for the more speedy printing of the acts and joint resolutions of the General Assembly; and the enrolled bill, entitled an act, on the subject of impeachments, and find the same truly enrolled:

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate, for the signature of the President.

Mr. Rout presented the petition of Charles Sefret, praying for a divorce from his wife.

Which was read and referred to a select committee of Messrs. Rout, Johnson, Dumont, Lane and Smith.

On motion by Mr. Dumont,

Mr. Marshall was added to the committee, to whom was referred the petition of William Flinn and others, praying that a part of Jackson county may be attached to the county of Lawrence.

Mr. Mauk presented the petition of Nancy A. Frits, praying a divorce from her husband.

Which was read and referred to a select committee of Messrs. Pennington, Everts, Palmer, Mauk & Lucas.

Mr. Smith presented the petition of John Conner and others, praying leave to erect a dam across White river, at the Horse Shoe Bend.

Which was read and referred to a select committee of Messrs. Smith, Stapp, Robb, James and Hunt.

Mr. Lucas presented the petition of Jonathian Nichols and others, of Monroe county, praying compensation for injury done, by the state road passing through their farms.

Which was read and referred to the committee on state roads.

Mr. Rout, having obtained leave, introduced a bill, to amend the act, entitled an act, to exempt certain property from execution.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Smith from the committee on the judiciary, reported a bill to amend the act, entitled an act, regulating the duties and jurisdiction of justices of the peace.

Which was read and ordered to be read a second time on Monday next.

Mr. De Pauw, having obtained leave, introduced a bill to establish a state road from Columbus to Bloomington.

Which was read the first time, and ordered to be read a second time on Monday next.

On motion,

The House proceeded to consider the resolution offered by Mr. Beckes, on the subject of the revision of the statute laws. And

On motion by Mr. Bullock,

The further consideration of said resolution, was indefinitely postponed; and the yeas and nays being demanded by Messrs. Bullock and Wright, of W. the votes were as follows—yeas 37, nays 5.

And those who voted in the affirmative were,

Messrs. Armstrong,	Hunt,
Bassett,	James,
Bently,	Johnson of P.
Bullock,	Jordan,
Burnett,	Julian,
Bush,	Lane,
Casey,	Lucas,
Childs,	Marshall,
Clark,	Mauk,
Clendenin,	Molder,
Daniel,	Palmer,
De Pauw,	Pennington,
Dixon,	Robb,
Dumont,	Rout,
Everts,	Scott,
Glover,	Stapp,
Green,	Wright of R. and
Howk,	Wright of W.

And those who voted in the negative were,

Messrs. Beckes,	Smith and
Jackson,	Mr. Speaker.
M'Cleery,	

Mr. James then offered the following resolution:

Resolved, That a committee of two, be appointed on the part of this House, to act in conjunction with a similar committee to be appointed on the part of the Senate, to bring into view, under one head, the several acts, now in force in this state, with their several amendments; and that said laws be incorporated in the acts of this Session; that the Senate be informed thereof, and a similar committee be requested on their part.

And on the question of adopting said resolution, the yeas and nays being demanded by Messrs. Hunt and Lucas, the votes were as follows—yeas 21, nays 20.

And those who voted in the affirmative were,

Messrs. Bently,	Green,
Bullock,	Hill,

Burnett,
Casey,
Childs.
Clark,
Daniel,
De Pauw,
Dixon,
Everts,
Glover.

James,
Jordon,
Julian,
Lucas,
Marshall,
Rout,
Wright of R. and
Wright of W.

And those who voted in the negative were.

Messrs. Armstrong,
Bassett,
Beckes,
Bush,
Clendenin,
Dumont,
Hawk,
Hunt,
Jackson,
Johnson of P.

Lane,
Mauk,
M'Cleery,
Molder.
Palmer,
Pennington,
Robb,
Smith,
Stapp and
Mr. Speaker.

And so it was carried in the affirmative. And

Thereupon,

Messrs. James and Bullock, were appointed said committee on the part of this House.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bill, entitled an act, to legalize the proceedings of the board of county commissioners of Decatur county; and the enrolled bill, entitled an act, to repeal an act, entitled an act, to authorize called sessions of the circuit courts for the purposes therein expressed, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate, for the signature of the President.

Mr. Everts, from the committee on education, reported a bill for the incorporation of township schools.

Which was read the first time and ordered to be read a second time on Monday next.

Ordered, That one hundred copies of said bill, be printed for the members of this General Assembly.

Mr. Hawk, having obtained leave, introduced a bill to subject equitable interests to execution.

Which was read the first time and ordered to be read a second time on Monday next.

The House now proceeded to consider the orders of the day.

The bill relative to issuing fee bills, and the bill for the apportionment of Senators and Representatives in the counties therein named; were taken up and severally read the second time, committed to a committee of the whole House and made the order of the day for Tuesday next.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The Senate came into the Representatives' hall,

Whereupon,

The two Houses, by joint ballot, proceeded to the election of a president judge, for the first judicial circuit of Indiana, and upon examining the votes, it appeared, that Jacob Call, having received an unanimous vote, was declared, by the President of the Senate, duly elected to fill the vacancy occasioned by the death of the hon. Jonathan Doty, late President judge of said Circuit.

The two Houses then proceeded to the election of a state treasurer, and after examining and counting the votes, it appeared, that Samuel Merrill, received for the said office, thirty two votes, and that Daniel C. Lane, received for the same office, twenty five votes;

Whereupon,

The said Samuel Merrill, having received a majority of all the votes given, was by the President of

the Senate, declared duly elected as treasurer of state, to serve for and during the next succeeding three years.

The two Houses then proceeded to the election of an auditor of public accounts, and upon examining and counting the votes, it appeared that William H. Lilly, received fifty five votes, and Reuben Kidder, three votes, for the said office;

Whereupon,

The said William H. Lilly, having received a majority of all the votes present given, was

Thereupon,

By the President of the Senate, declared duly elected as auditor of public accounts, to serve for and during the term of three years next succeeding.

And the House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, DECEMBER 16, 1822.

House met pursuant to adjournment.

Mr. Beckes, having obtained leave, presented the proceedings of the board of county commissioners of the county of Knox, on the subject of certain funds in the treasury of said county, and requesting that the said proceedings may be legalized.

Which was read and referred to a select committee of Messrs. Beckes, Scott, Smith, Stapp and Robb.

Mr. Dumont presented the petition of the inhabitants of Switzerland county, praying an act, authorizing the county commissioners of the several counties, in this state, whenever they may deem it expedient, to lay a tax on dogs.

Which was read and referred to a select committee of Messrs. Dumont, Wright of W. Clark, Lucas and Mauk.

Mr. Beckes, having obtained leave, introduced a bill to suspend the operation of the act, entitled an

act laying off certain state roads in this state, and appropriating \$100,000 of the fund, commonly called the three per cent. fund, for opening said roads—approved, December 31, 1821.

Which was read the first time, and ordered to be read a second time to morrow.

Mr. Bassett from the committee on the judiciary, reported a bill providing for the election of township officers, and abolishing the office of county commissioners.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Stapp presented the petition of sundry citizens of Jefferson county, praying that a part of said county may be attached to the county of Scott.

Which was read, and

On motion by *Mr. De Pauw*,

The said petition was referred to a select committee of Messrs. De Pauw, Stapp, Bullock, Clark and Hunt.

Mr. Clark presented the petition of James Goodhue and others, of Scott county, on the same subject.

Which was referred to the same committee, above named.

Mr. Scott presented the petition of Harris Tyner, collector for the county of Marion, praying certain relief.

Which was read and referred to a select committee of Messrs. Scott, M'Cleery, Beckes, Smith and Bassett.

Mr. Scott, from the joint committee for enrolled bills, reported that the said committee did on this day, present to his excellency the Governor, for his approbation and signature, the enrolled bill, entitled an act, for the more speedy printing of the acts and joint resolutions of the General Assembly.

An act, to repeal an act, entitled an act, to author-

ize called sessions of the circuit courts within this state—approved, January 2, 1822.

An act to legalize the proceedings of the board of county commissioners of the county of Decatur.

And an act on the subject of impeachments.

On motion,

The House re-considered the vote on the resolution offered by Mr. James on Saturday last, on the subject of appointing a committee to revise the statute laws.

The question then recurred on adopting the said resolution.

Mr. James then offered to amend said resolution, by striking it out from the word “resolved” and inserting the following provisions in lieu thereof, viz:

“That a select committee of three members, on the part of the House of Representatives, and two on the part of the Senate, be appointed to revise, and report to one or other of the two Houses, a bill or bills, on the following subjects, viz:

“1st. Jurisdiction and duties of justices of the peace.

“2nd. Opening and repairing public roads and highways.

“3d. Subjecting real and personal estate to execution.”

Resolved further, That Messrs. Smith, Howk and Bullock, be such committee on the part of the House of Representatives.

Ordered, That the Senate be informed thereof, their concurrence requested, and a similar appointment desired on their part.

Mr. Dumont then moved that the further consideration of said resolution and amendment, be indefinitely postponed, which was decided in the negative; and the yeas and nays being demanded by Messrs. Dumont and Beckes, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
 Bassett,
 Beckes,
 Bush,
 Clenderin,
 Dumont,
 Howk,
 Hunt,
 Jackson,

Johnson, of P.
 Lane,
 Mauk,
 M'Cleery,
 Molder,
 Palmer,
 Robb,
 Scott and
 Smith—18.

And those who voted in the negative were;

Messrs. Bently,
 Bullock,
 Burnett,
 Casey,
 Childs,
 Clark,
 Daniel,
 De Pauw,
 Dixon,
 Everts,
 Glover,
 Hill,

James,
 Jordon,
 Julian,
 Lucas,
 Marshall,
 Pennington,
 Rout,
 Scoville,
 Stapp.
 Wright of R.
 Wright of W. and
 Mr. Speaker—24.

The question then recurred on adopting the amendment, as proposed by Mr. James to said resolution, and which was carried in the affirmative; and on that question, the yeas and nays being demanded by Messrs. Bassett and Hunt, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Beckes,
 Casey,
 Childs,
 Daniel,
 Everts,
 Glover,
 Hill,
 Jackson,
 James,
 Johnson of P.
 Jordan,
 Julian,
 Lucas,

Marshall,
 Mauk,
 Pennington,
 Robb,
 Rout,
 Scott,
 Scoville,
 Smith,
 Stapp,
 Wright of R.
 Wright of W. and
 Mr. Speaker—25.

And those who voted in the negative were;

Messrs. Armstrong,
 Bassett,
 Bently,
 Bullock,
 Burnett,
 Bush,
 Clark,
 Clendenin,
 De Pauw.

Dixon,
 Dumont,
 Hawk,
 Hunt,
 Lane,
 M'Cleery,
 Molder and
 Palmer—17.

The question was then put, will the House adopt said resolution as amended? which also carried in the affirmative; and on that question, the yeas and nays being demanded by Messrs. Dumont and Lucas, the votes were as follows—yeas 22, nays 20.

And those who voted in the affirmative were.

Messrs. Bently,
 Casey,
 Childs,
 Daniel,
 Dixon,
 Glover,
 Hill,
 Jackson,
 James,
 Jordon,
 Julian,

Lucas,
 Marshall,
 Mauk,
 Molder,
 Pennington,
 Rout,
 Scoville,
 Stapp.
 Wright of R
 Wright of W. and
 Mr. Speaker—22:

And those who voted in the negative were,

Messrs. Armstrong,
 Bassett,
 Beckes,
 Bullock,
 Burnett,
 Bush,
 Clark,
 Clendenin,
 De Pauw,
 Dumont,

Everts,
 Hawk,
 Hunt,
 Johnson, of P.
 Lane,
 M'Cleery,
 Palmer,
 Robb,
 Scott and
 Smith—20.

Ordered. That Mr. James inform the Senate.

Mr. Smith presented several petitions of Henry Bates and others, of Indianapolis, praying a change in cer-

tain state roads, and a map, which were referred to the standing committee on state roads.

Mr. Scott introduced a bill, relative to the duties of sheriffs and other officers.

Which was read the first time, and ordered to a second reading on to-morrow.

Mr. Beckes introduced the following joint resolution, on the subject of the revision of the statute laws, viz:

A joint resolution respecting the revision of the statute laws.

Whereas, the honorable Benjamin Parke, who was elected pursuant to an act of the last session of the General Assembly, entitled an act, establishing a permanent system of statute laws in this state, has declined the revision stated in said act.

And whereas, it is believed that a revision to the extent contemplated in said act, will not only be attended with too long delay, but be too expensive, and be a delegation of powers unauthorized by the constitution, for remedy whereof;

Resolved, By the General Assembly of the state of Indiana, that two members of the House of Representatives, and one of the Senate, be elected by joint ballot of the two Houses at their present session, whose duty or a majority of them, it shall be to dissect, analyze and compile, in an alphabetical order, all the statute laws of the state of Indiana, and now in force in this state, and which may be enacted at the present session, suggesting thereto, such amendments and alterations as they may deem right, in connection with the constitution of the state, and report the same to the next General Assembly, on or before the third day of their session, for inspection and approbation.

Resolved, Further, that the said compiler, or those of them who perform the said work, shall have and receive the sum of six hundred dollars, to be paid them in equal proportions, out of the state treasury, upon

the order of the auditor of public accounts, which he is hereby authorized and directed to give, so soon as the said compilation is presented to the legislature.

Resolved, Also, that the aforesaid act, for the revision of the statute laws of this state, be and the same is hereby repealed.

These resolutions shall take effect and be in force from and after their passage.

Which joint resolution was read the first time; and

On motion by Mr. Pennington,

The same was rejected.

And on that question, the yeas and nays being demanded by Messrs. Beckes and Robb, the votes were as follows;

And those who voted in the affirmative were,

Messrs. Armstrong,	Jordan,
Bassett,	Julian,
Bently,	Lucas,
Bush,	Marshall,
Childs,	Mauk,
Clark,	M'Cleery,
Clendenin,	Molder,
De Pauw,	Pennington,
Glover,	Rout,
Hill,	Scoville and
Hunt,	Wright of W.—22.

And those who voted in the negative were,

Messrs. Bullock,	James,
Beckes,	Johnson of P.
Burnett,	Lane,
Casey,	Palmer,
Daniel,	Robb,
Dumont,	Scott,
Everts,	Smith,
Green,	Stapp,
Howk,	Wright of R. and
Jackson,	Mr. Speaker—20.

A message was received from the Senate, by Mr. Daniel, a member, announcing that the Senate had

passed the engrossed bill from this House, entitled an act, to amend the act, entitled an act, amending and confirming the act, regulating the fees of the several officers and persons therein named, with an amendment; in which amendment they ask the concurrence of this House.

And he withdrew.

And the said amendment was taken up, considered and concurred in by this House.

Ordered, That the Senate be informed thereof.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

Mr. Hunt introduced a bill, declaring the length of time that judgment shall operate as a lien on real estate.

Which was read the first time and ordered to a second reading on to-morrow.

Mr. Wright of W. presented the petition of Ruth M'Clelin, praying certain relief.

Which was read and referred to a select committee of Messrs. Wright of W. Smith, Everts and Palmer.

The bill to amend the act, entitled an act, to exempt certain property from execution.

The bill appointing commissioners to locate a state road from Columbus to Bloomington.

The bill to subject equitable interests to execution.

And the bill, supplemental to an act, regulating the duties and jurisdiction of justices of the peace; was each read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The engrossed joint resolution respecting printing, was read a third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The engrossed bill to authorize the administrators of the estate of Richard Minor, deceased, to sell a certain tract of land of the said estate, was read the third time and passed.

Ordered, That it be entitled an act, that the Senate be informed thereof and their concurrence therein requested.

The engrossed joint resolution, to authorize the auditor of public accounts, to audit the claim of the collector of Fayette county, for a part of the revenue of said county, for the year, 1819, was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The bill providing for the election of electors for President and Vice President of the United States, was taken up, read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill for the formation of a new county, out of the county of Delaware;

Mr. Bassett in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bassett reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments, except one made by filling the blank, in the first section of said bill, with the word "Delaware," in which the House refuse to concur. And

On motion by Mr. Beckes,

The said blank was filled with the word "Johnson," being the name given to said new county.

On motion,

Ordered, That said bill be engrossed and read a third time to-morrow.

The House now resolved itself into a committee of the whole, on the bill for the relief of Reuben H. Murray and Robert Gray;

Mr. Beckes in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Beckes reported, that the committee of the whole had, according to order, had the said resolution under consideration and had made some progress therein, but not having time to go through the same, desired leave to sit again.

Whereupon,

Leave was granted.

A message was received from the Senate, by Mr. Sholtz, a member, announcing that the Senate had passed the engrossed bill from the House, entitled an act, for the relief of Benjamin Olney and Rachel Simpson, without amendment.

And he withdrew.

The House, according to order, now resolved itself into a committee of the whole, on the bill amendatory to an act, entitled an act, to amend an act, entitled an act, regulating taverns;

Mr. Stapp in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Stapp reported, that the committee of the whole had, according to order, had the said bill under consideration, had gone through the same, and directed him to report the same without amendment.

Ordered, That said bill be engrossed and read a third time on to-morrow.

The House now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled an act, for the relief of Abraham Elliott, late sheriff of Wayne county;

Mr. Robb in the chair;

And after some time spent therein;

Mr. Speaker resumed the chair,

And Mr. Robb reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking it out from the enacting clause, in which amendment he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

On motion by Mr. Howk,

The further consideration of said bill was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, upon the engrossed bill, entitled an act, to amend an act, entitled an act, for the formation of a new county, out of the counties of Owen and Vigo, and north of Owen;

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Pennington reported, that the committee of the whole had, according to order, had under their consideration the said bill, had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, DECEMBER 17, 1822.

House met pursuant to adjournment.

Mr. Wright of R. from the select committee, to whom was referred the petition of the commissioners of the state road from Winchester to Indianapolis, reported a bill, confirming said road.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Smith, from the select committee to whom was referred the petition of John Conner and others, reported a bill, authorizing the said Conner to erect a dam across White River, at the Horse Shoe Bend.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Scott, having obtained leave, introduced a bill, authorizing the executors of the last will and testament of Andrew Brooks, deceased, to sell a certain tract of land of the estate of said deceased.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Rout presented the petition of Hetty Sefret, praying a divorce from her husband.

Which was read with the accompanying documents, and referred to the select committee to whom was referred the petition of Charles Sefret.

Mr. Scott, from the select committee, to whom was referred the petition of Harris Tyner, collector of the revenue of the county of Marion, praying certain relief, reported a bill, giving the relief prayed for.

Which was read the first time and ordered to be read the second time to-morrow.

Mr. Clark presented the petition of John Craig and others, of Scott county, praying a re-location of the seat of justice of said county; as also the remonstrance of Charles Eastin and others, of said county, against the petition aforesaid.

Which were referred to a select committee, of Messrs. Clark, Howk, M'Cleery, Armstrong and James.

Mr. Armstrong, from the select committee, to whom was referred the petition of Samuel Patterson and

John Rodgers, administrators of the estate of Simpson Charlton, deceased, praying an act to authorize them to re-assign a certain certificate for a quarter section of land of said estate, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Stapp, having obtained leave, introduced a bill, to change the mode of appointing county treasurers.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Armstrong, from the select committee to whom was referred the petition of Henry Fulton, praying to be re-imburshed for certain taxes, which were unjustly collected from him, reported that the said committee had had the said petition under consideration, and were of the opinion, that the prayer of the petitioner was reasonable and ought to be granted, but that it would be impolitic, to pass a special act on the subject, and would therefore recommend the adoption of the following resolution:

Resolved, That the petition of Henry Fulton, he referred to the committee of ways and means, with the accompanying documents, with instruction that in the bill making specific appropriations, they provide for the payment of the claim of said petitioner, and that the select committee be discharged from the further consideration thereof.

And on the question, will the House concur in said report and resolution? it was decided in the negative.

Mr. Pennington presented the petition of A. Brandon and others, praying that the act may be revived, providing for the location of a state road from New Albany, by way of Corydon and the seat of justice of Crawford county, to Princetown, in the county of Gibson.

Which was read and referred to a select committee of

Messrs. Pennington, Burnett, Stapp, Robb, Green and Palmer.

Mr. Daniel presented the petition of sundry citizens of Perry county, praying that a part of said county may be attached to the county of Crawford.

Which was read and referred to a select committee of Messrs. Daniel, Childs, Green, James and Jordan.

Mr. Hunt introduced a bill, to authorize the trustee of the public seminary, for the county of Jefferson, to pay over the seminary funds in his hands, to the trustees of the Madison Academy.

Which was read the first time and ordered to be read a second time to-morrow.

The bill, to suspend the operation of the act, entitled an act, laying off certain permanent state roads, and appropriating \$100,000 of the fund, commonly called the three per cent fund, for opening the said roads—approved, December 31, 1821.

The bill for the election of certain officers therein named.

The engrossed bill from the Senate, entitled an act, for the formation of a new county, out of the county of Wabash, and to establish the county seat thereof.

The bill regulating the duties of sheriffs and other officers.

The bill declaring the length of time, that judgments shall operate as a lien on real estate.

The bill providing for the election of township officers, and abolishing the office of county commissioners.

And the bill for the incorporation of township schools, were taken up, and severally read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed joint resolution of the General Assembly of the state of Indiana, was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill, amendatory to the act, entitled an act, to amend the act, entitled an act, to licence and regulate taverns.

And the engrossed bill for the formation of a new county, out of the county of Delaware, were each read the third time and passed.

Ordered, That said bills be entitled acts, and that the Senate be informed thereof, and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole; on the bill giving to the citizens of Indianapolis, a public burying ground.

Mr. Hunt in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hunt reported, that the committee of the whole had, according to order had the said bill under consideration, and had directed him to report the same without amendment.

On motion,

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, authorizing the circuit courts to decree the sale of the real estate of minors, and for other purposes.

In which they desire the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Governor, by John W. Payne, Esq. his private secretary, announcing that he did, on yesterday, approve and sign,

An act, to repeal an act, entitled an act, to authorize called sessions of the circuit courts within this state,

for the purposes therein named—approved, January 2, 1822.

Also, an act to legalize the proceedings of the board of county commissioners of Decatur county.

All of which originated in the House of Representatives.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the joint resolution from this House, appointing a joint committee to compile and revise certain statute laws, with one amendment thereto, in which amendment they ask the concurrence of this House.

And he withdrew.

And the said amendment was taken up and considered; and which amendment was made by striking out said resolution from the word "resolved," and inserting in lieu thereof the following provision, viz:

"That a committee of review and examination, be appointed on the part of the Senate, to act with a similar committee to be appointed on the part of the House of Representatives, whose duty it shall be to examine the statute laws now in force in this state, and make a selection of such statutes, on such subjects of a general nature, as they, in their opinion, may deem indispensably necessary for the present emergency; and report the same to each House for compilation and amendment, as soon as practicable."

Which resolution and amendment being read;

On motion by Mr. Scott,

The further consideration of the same was indefinitely postponed.

And on the question of postponement, the yeas and nays being demanded by Messrs. Hunt and Robb, the votes were as follows.

And those who voted in the affirmative were,

Messrs. Armstrong,	Johnson of P
Burnett,	Jackson,
Beckes,	Lane,
Clendenin,	M'Cleery,
Casey,	Mauk,
Childs.	Palmer,
Daniel,	Robb,
Dumont,	Scott,
Green,	Smith,
Hawk,	Stapp and
Hunt,	Mr. Speaker—22.

And those who voted in the negative were..

Messrs. Bassett,	Julian,
Bush,	James,
Bently,	Lucas,
Clark,	Marshall,
Dixon,	Molder.
De Pauw,	Pennington,
Everts,	Rout,
Glover,	Scoville,
Hill,	Wright of R. and
Jordon,	Wright of W—20.

Ordered, That the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the bill providing for the alteration of state roads;

Mr. Armstrong in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Armstrong reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they ask the concurrence of the House.

On motion,

The House concurred in said amendments.

Ordered, That said bill be engrossed for a third reading to-morrow.

The House, according to order, now resolved itself

into a committee of the whole, on the engrossed bill from the Senate, entitled an act, to amend the act, entitled an act, for the formation of a new county out of the counties of Owen and Vigo, and north of Owen;

Mr. Marshall in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And *Mr. Marshall* reported, that the committee of the whole had, according to order, had the said bill under consideration and had directed him to report the same without amendment.

Ordered, That said bill be read a third time to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill for the relief of securities of civil officers;

Mr. Clendenin in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And *Mr. Clendenin* reported, that the committee of the whole had, according to order, had the said bill under consideration and had made one amendment thereto, in which he asked the concurrence of the House.

Mr. Howk then moved that the further consideration of said bill be indefinitely postponed.

And the yeas and nays being demanded on that question, it was decided in the negative; the votes were as follows—yeas 15, nays 24.

Those who voted in the affirmative were,

Messrs. Armstrong,
Childs,
Everts,
Glover,
Howk,
Hunt,
Johnson of P.
Julian,

Mauk,
M'Cleery,
Pennington,
Robb,
Rout,
Stapp and
Mr. Speaker.

And those who voted in the negative were,

Messrs. Bassett,	Jackson,
Beckes,	James,
Bullock,	Jordan,
Burnett,	Lane,
Bush,	Marshall,
Clark,	Molder,
Clendenin,	Palmer,
Daniel,	Scott,
De Pauw,	Smith,
Dixon,	Scoville,
Dumont,	Wright of R. and
Green,	Wright of W.
Hill,	

On motion,

The House concurred in the amendment made in committee of the whole.

Ordered, That said bill be engrossed for a third reading to morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 18, 1822.

House met pursuant to adjournment.

Mr. Bullock presented the petition of sundry citizens of Vernon, praying an act to incorporate a school society.

Which was read and referred to a select committee of Messrs. Bullock, Dumont, Stapp, Bently and Hill.

Mr. Glover, from the select committee, to whom was referred the petition of William Flinn and others, of Jackson county, praying that a part of said county, may be attached to the county of Lawrence, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to morrow.

Mr. Hunt introduced a bill changing the mode of selling real estate taken on execution.

Which was read and ordered to be read a second time to-morrow.

Mr. Pennington, having obtained leave, introduced a bill for the appointment of circuit prosecutors.

Which was read the first time and ordered to be read the second time to-morrow.

Mr. Beckes, from the select committee, to whom was referred the petition and proceedings of the board of county commissioners of Knox county, made the following report; viz.

"The committee to whom was referred the resolutions and request of the board of county commissioners of Knox county, upon the subject of the notes of the mother bank and its branches, per treasury—and praying the legalization of their proceedings, beg leave to report:

"That although the request of the said board, aught in justice to be granted, yet as no opportunity now offers, to apply the said paper to the payment of the state debt, the transaction being closed by the honorable James Noble and the treasurer of state; your committee are of opinion that the request of said board of commissioners cannot be granted; but as no injury can result to the public at large, but special benefit to the county of Knox, from a confirmation of the special session of the said county commissioners, on the 1st Monday in December instant, your committee have herewith reported a bill legalizing the proceedings of the board of county commissioners of the county of Knox, which your committee advise the passage of.

B. V. BECKES, *Ch'n.*

On motion,

The House concurred in said report.

And the said bill was read the first time and ordered to be read a second time to-morrow.

Mr. Smith presented the petition of James M. Ray and others, of Indianapolis, praying an act to authorize certain citizens of said town, to remove their im-

provements from the reserved lots when said lots shall be sold.

Which was read and referred to a select committee of Messrs. Smith, Stapp, Hill, Wright of R. and Bullock.

Mr. Howk presented the petition of R. W. Nelson and others, members of the law library company, praying an act to incorporate said library company.

Which was read and referred to a select committee of Messrs. Howk, Bush, Bassett, Palmer and Dumont.

Mr. Lucas introduced a bill providing for the election of president and trustees of the county library, for the county of Monroe.

Which was read the first time and ordered to be read a second time to-morrow.

The House then proceeded to consider the orders of the day.

The engrossed bill from the Senate, entitled an act, authorizing circuit courts to decree the sale of real estate for the benefit of minors.

The bill to authorize the trustee of the public seminary, for the county of Jefferson, to pay over the seminary funds in his hands, to the trustees of the Madison Academy.

The bill for the relief of Harris Tyner, collector of the revenue for the county of Marion.

And the bill to authorize the administrators of Simpson Charlton, deceased, to re-assign a certain certificate for a quarter section of land of said deceaseds estate, to the former claimant thereof.

Were each taken up, read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to authorize John Conner to erect a dam across White river, at the Horse Shoe Bend.

And the bill to authorize the executors of Andrew Brooks, deceased, to sell a certain tract of land of

said deceased; were each read the second time and ordered to be engrossed for a third reading to-morrow,

The bill to legalize the proceedings of the commissioners of the state road leading from Winchester to Indianapolis, was read the second time and ordered to lie on the table.

The engrossed bill to provide for the alteration of state roads, was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Beckes and Bullock, the votes were as follows:

And those who voted in the affirmative were,

Messrs. Armstrong,	Jordan,
Bassett,	Julian,
Bently,	Lane,
Bullock,	Lucas,
Bush,	Marshall,
Casey,	Mauk,
Clark,	M ^c Cleery,
Clendenin,	Molder,
Daniel,	Palmer,
Dumont,	Pennington,
Everts,	Robb,
Glover,	Rout,
Green,	Scoville
Hill,	Smith,
Hunt,	Stapp,
Jackson,	Wright of W.
James,	Wright of R. and
Johnson of P.	Mr. Speaker—36.

And those who voted in the negative were,

Messrs. Beckes,	Dixon,
Burnett,	Howk and
Childs,	Scott—6.

Ordered, That said bill be entitled an act, that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate, by Mr. Johnson, a member, announcing that the Senate had

passed the engrossed bill from this House; entitled an act for the re-location of the seat of justice of Union county, without amendment.

The engrossed bill giving the citizens of Indianapolis, a public burying ground, was read a third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill from the Senate, entitled an act, to amend the act, for the formation of a new county out of the counties of Vigo and Owen, and north of Owen, was read a third time and passed.

Ordered, That the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the bill to limit the stays on executions, after the 15th day of June next, to sixty days;

Mr. Lucas in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Lucas reported, that the committee of the whole had, according to order, had the said bill under consideration and had made some progress therein, but not having time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was given.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The House, according to order, now resolved itself into a committee of the whole, on the bill supplemental to an act, to amend the act, reducing into one, all the acts and parts of acts, now in force in this state,

regulating proceedings in actions at law and suits in chancery;

Mr. Wright of R. in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Wright reported, that the committee of the whole had; according to order, had the said bill under consideration, and had made several amendments to the same, in which he asked the concurrence of the House.

Which amendments he handed in at the clerks' table, where they were again read and concurred in by the House.

Mr. Smith then moved further to amend said bill, by adding an additional section thereto; which reads as follows:

Sec. 5. The petit jurors hereafter summoned to attend before any court of record, shall be allowed for such services and attendance, the same sum per day that grand jurors are now allowed, for their attendance on such courts, and shall be paid in the same manner that the grand jurors are now paid; and it shall be the duty of the clerk of the court, to tax the fees allowed such jurors, by the laws heretofore passed on that subject, with the other costs in the suit, and pay the same over to the treasurer of the proper county, so soon as the same may be collected, for the benefit of the county:

And on the question, shall the bill be so amended? it was decided in the negative, and the yeas and nays being demanded by Messrs. Smith and Pennington, the votes were as follows;

And those who voted in the affirmative were,

Messrs. Bassett,
Bently,
Burnett,
Bush,
Casey,

James,
Johnson, of P,
Marshall,
Molder,
Palmer,

Childs,
Clark,
Clendenin,
Glover,
Hill,

Robb,
Rout,
Smith and
Wright of W —19.

And those who voted in the negative were,

Messrs. Armstrong,
Beckes,
Bullock,
De Pauw,
Dixon,
Dumont,
Everts,
Green,
Howk,
Hunt,
Jackson,

Jordon,
Julian,
Lane,
Lucas,
Mauk,
M'Cleery,
Pennington,
Scott,
Stapp.
Wright of R. and
Mr. Speaker—22.

Ordered, That said bill be engrossed and read a third time to-morrow.

A message was received from the Senate, by Mr. Farnham, announcing that the Senate had concurred with this House in the passage of a joint resolution on the subject of public printing, without amendment.

The House, according to order, now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled an act, to authorize the agent at Indianapolis, to sell lot No. 5, in square No. 57, in said town;

Mr. De Pauw in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. De Pauw reported, that the committee of the whole had, according to order, had the said bill under consideration and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again,

Whereupon,

Leave was granted.

The House, according to order, now resolved itself

into a committee of the whole, on the bill for the relief of Reuben H. Murray and Robert Gray;

Mr. Lane in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Lane reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House; which amendments he handed in at the clerks' table. And

On motion,

The House concurred in the same.

Ordered, That said bill be engrossed for a third reading to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled an act, for the relief of John Spencer, sheriff of Dearborn county;

Mr. Scott in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Scott reported, that the committee of the whole had, according to order, had the said bill under consideration, and had directed him to report the same without amendment.

Ordered, That said bill be read a third time to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, DECEMBER 19, 1822.

House met pursuant to adjournment.

Mr. Smith presented the memorial of the county commissioners of Marion county, on the subject of a

further appropriation for the court house of said county.

Which was read, and

On motion,

Resolved, That the said representation be referred to a select committee, with instructions to report what measures ought to be adopted, to enable the board of commissioners of Marion county, to progress with the building of the court house at Indianapolis, and also to prepare a bill arranging the lines of the county of Marion, according to the request of said representation. And

Thereupon,

Messrs. Smith, Robb, Palmer, Bullock and Bassett were appointed said committee.

Mr. Marshall presented the petition of Jacob Salmon and others, praying a change in the state road from Bethlehem, by way of the seat of justice of Scott county, to Indianapolis.

Which was read and referred to a select committee, of Messrs. Marshall, Howk, Everts, Glover and Jordan.

Mr. Pennington, from the select committee, to whom was referred the petition of A. Brandon and others, introduced a bill, to revive the act, for the location of a state road, leading from New Albany, by way of Corydon and the seat of justice of Crawford county, to Princetown, in the county of Gibson.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Howk, from the committee of ways and means, reported a bill, to amend the act, authorizing the building of a state prison.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Howk, from the select committee, appointed to enquire into the expediency of memorializing Congress, on the subject of organizing a circuit court of the United States, within the Illinois and Missouri states, reported a memorial for that purpose.

Which was read and committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Wright of W. introduced a bill, to authorize the agent at Indianapolis, to rent out the improved land on the donation.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Scott, from the joint committee on enrolled bills, reported that said committee had examined the enrolled bill, entitled an act, to repeal part of an act, entitled an act, amending and confirming an act, regulating the fees of the several officers and persons therein named, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bill be carried to the Senate, for the signature of the President.

Mr. Daniel presented the petition of Jesse Upton and others, praying that said Upton may be permitted to erect a dam across Anderson's river.

Which was read and referred to a select committee of Messrs. Daniel, Lane, Robb, Scott and Green.

Mr. Smith introduced a bill, to authorize the agent at Indianapolis, to sell three additional brick yards, and for other purposes.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Wright of W. from the select committee, appointed to enquire if, and what amendments are necessary to the laws now in force, for opening and repairing public roads and highways, reported a bill on that subject.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. De Pauw presented the petition of Ruth Jacoby, praying a divorce from her husband.

Which was read and referred to a select committee

of Messrs. De Pauw, Armstrong, Jackson, Johnson of P. and Molder.

Mr. Scott presented the petition of Samuel Steele and others, praying for a new county.

Which was referred to a select committee of Messrs. Scott, Dixon, Beckes, Everts and Hill.

Mr. De Pauw, from the select committee, to whom was referred the petition of sundry citizens of Jefferson county, praying that a part of said county may be attached to the county of Scott, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to-morrow.

The House proceeded to consider the orders of the day.

The bill legalizing the proceedings of the board of county commissioners of the county of Knox:

The bill providing for the election of president and trustees of the Monroe county library.

And the bill to attach a part of the county of Jackson to the county of Lawrence, were taken up, and severally read the second time, and ordered to be engrossed for a third reading to-morrow.

The bill changing the mode of selling real estate, taken on execution, was read the second time, committed to a committee of the whole House, and made the order of the day for Saturday next.

The bill providing for the appointment of circuit prosecutors, was read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Senate, entitled an act, for the formation of a new county, out of the county of Wabash, and for fixing the seat of justice thereof.

Mr. Bullock in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And *Mr.* Bullock reported, that the committee of the whole had, according to order had the said bill under consideration, and had directed him to report the same without amendment.

The said bill was then read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill for the relief of securities of public officers, was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Hunt and Pennington, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett, ✓	Hill, ✓
Beckes, ✓	Jackson, ✓
Bently, ✓	James, ✓
Burnett, ✓	Jordon, ✓
Casey, ✓	Lane, ✓
Clark, ✓	Mauk, ✓
Clendenin, ✓	Molder, ✓
Daniel, ✓	Palmer, ✓
De Pauw, ✓	Scott, ✓
Dixon, ✓	Scoville, ✓
Dumont, ✓	Smith, and
Green, ✓	Wright of W—24, ✓

And those who voted in the negative were.

Messrs. Armstrong, ✓	Lucas, ✓
Bullock, ✓	Marshall, ✓
Bush, ✓	M'Cleery, ✓
Childs, ✓	Pennington, ✓
Everts, ✓	Robb, ✓
Glover, ✓	Rout, ✓
Hawk, ✓	Stapp, ✓
Hunt, ✓	Wright of R. and
Johnson of P. ✓	Mr. Speaker—19, ✓

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate, by Mr.

Farnham, announcing that the Senate had passed the engrossed bill from the House, entitled an act, amendatory of an act, entitled an act, to amend an act, to licence and regulate taverns.

And the engrossed bill from this House, entitled an act, to authorize the agent of the county of Fayette, to sell certain public ground in the town of Connersville, in said county, without amendment.

A message was received from the Senate, by *Mr. Clark*, a member, announcing that the Senate had passed an engrossed bill, entitled an act, for the relief of the securities of persons charged with criminal offences.

In which they ask the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by *Mr. Graham*, announcing that the Senate had passed, an engrossed bill, entitled an act, to change a part of the road, leading from Mauk's Ferry, to Indianapolis.

In which they desire the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill, entitled an act, to amend the act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law, and suits in chancery, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

A message was received from the Senate, by *Mr.*

Graham, announcing that the Senate had passed an engrossed bill, entitled an act, providing for the election of electors of president and Vice President of the United States.

In which he asked the concurrence of this House.

And the said bill was taken up, and read the first time, and ordered to be read the second time to-morrow.

The engrossed bill from the Senate, entitled an act, for the relief of John Spencer, sheriff of Dearborn county, was read the third time and rejected.

The engrossed bill to authorize the executors of the last will and testament of Andrew Brooks, deceased, to sell certain real estate, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate, by Mr. Johnson, announcing that the Senate had passed the engrossed joint resolution from this House, authorizing the auditor of state to audit the allowance of the sheriff of Fayette county, for a part of the revenue of the year 1819, without amendment.

And he withdrew.

The engrossed bill, authorizing John Conner to erect a mill dam across White river, at the Horse Shoe Bend, was read a third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill for the relief of Reuben H. Murray & Robert Gray, was read the third time & passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole, on the bill to a

mend the act, authorizing the granting of letters testamentary and letters of administration, for the settlement of testate and intestate estates;

Mr. Hill in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hill reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House.

On motion,

The House concurred in said amendments generally.

And the House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 20, 1822.

House met pursuant to adjournment.

Mr. Scott, from the joint committee, for enrolled bills, reported, that they had examined the enrolled bill, entitled an act, for the relief of Benjamin Olney and Rachel Simpson, and had found the same truly enrolled. And

Thereupon,

The Speaker signed the same.

Ordered, That said bill be carried to the Senate, for the signature of the President.

The House proceeded to consider the bill, to amend the act, authorizing the granting of letters testamentary and letters of administration, for the settlement of testate and intestate estates. And

On motion,

The the said bill was re-committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Smith, from the select committee, to whom was

referred the petition of sundry citizens of the county of Marion, reported a bill arranging the boundaries of said county.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Pennington, from the select committee, to whom was referred the petition of Nancy A. Frits, praying a divorce from her husband, reported unfavorably to the prayer of the petitioner.

In which report the House concurred.

Mr. Johnson of P. presented the petition of John M'Intire, praying certain relief.

Which was referred to the standing committee on state roads.

Mr. Everts, from the select committee, to whom was referred the petition of sundry citizens of Fayette and Union counties, reported a bill to re-locate a state road therein named.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Beckes, having obtained leave, introduced a bill, to amend the act, regulating domestic attachments.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Clark, from the select committee, to whom was referred the petition of John Craig and others, of Scott county, praying for the re-location of the county seat of said county, as also the remonstrance of Charles Eastin and others, against said petition, reported a bill for the appointment of commissioners to re-locate said county seat.

Which was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Grass, announcing that the Senate had passed an engrossed bill, entitled an act, to amend the act, providing for the appointment of a county treasurer, in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

Mr. Rout submitted the following resolution:

Resolved, That the committee on the judiciary, be instructed to enquire into the expediency of regulating by law, the emigration of free negroes into this state.

And

On motion by Mr. Scott,

The further consideration of said resolution was indefinitely postponed.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with such committee as may be appointed on the part of the House of Representatives; to enquire into the expediency of providing for carrying into effect, an act of the General Assembly, for the establishment of a permanent system of statute laws; that the House of Representatives be informed thereof and a similar committee requested.

Ordered, That Messrs. Harrison. Ray and Graham, be said committee on the part of the Senate.

And he withdrew. And

On motion,

The said resolution having been read, was indefinitely postponed.

A message was received from the Senate, by Mr. Gray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to establish a state road from Aurora, in the county of Dearborn, to the town of Nepoleon, in the county of Ripley, and had made several amendments thereto, in which they desire the concurrence of this House.

And the said amendments were taken up and read.

And

On motion,

The same were committed to a committee of the whole House and made the order of the day for Monday next.

Mr. Gray also reported, that the Senate had passed an engrossed bill, entitled an act, divorcing John Blue, from his wife, Abigail Blue, late Abigail Gridley, in which they ask the concurrence of this House.

Which was taken up and read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had passed an engrossed bill, entitled an act, dissolving the bans of matrimony between James Fowler and Eliza Fowler, his wife, late Eliza Sharp; and an engrossed bill, entitled an act, to provide for the safe keeping of persons charged with criminal offences; in which bills they desire the concurrence of this House.

And he withdrew.

And the said bills were taken up and severally read the first time and ordered to be read the second time to-morrow.

A message was received from the Senate, by Mr. Craig, announcing that the Senate had passed an engrossed bill, entitled an act, appointing commissioners, to locate a road from Lawrenceburgh, by the way of Rising Sun and Vevay, to Madison; in which they ask the concurrence of this House.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed an engrossed bill, entitled an act, for the relief of William Harrington; in which they ask the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee of ways and means,

to whom was referred so much of the Governor's message, as relates to the assessment and collection of revenue, reported a bill on that subject.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion by Mr. Scott,

Resolved, That a committee be appointed to enquire of the public printer, what progress he is making in printing the journals of this House, and report the same to this House this evening. And

Thereupon,

Mr. Scott was appointed said committee.

Mr. Daniel, introduced a bill, providing for compensating commissioners on state roads:

Which was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Farnham; announcing that the Senate had passed the engrossed bill from this House, entitled an act for the formation of a new county, out of the county of Delaware, with some amendments to the same, in which amendments they desire the concurrence of this House.

And he withdrew.

And the said amendments were read and concurred in by the House.

Ordered, That the Senate be informed thereof.

Mr. Scott, from the select committee appointed to make certain enquiries of the public printer, made the following report:

Mr. Speaker,

The committee appointed to call upon the public printer and ascertain what progress he is making in the printing of the journals of this house, have performed that duty, and are now ready to report; that your committee have called upon the printer, and received for answer, that he is making the necessary preparations, and will endeavor to have them printed as early in the spring as possible.

The bill to authorize the agent at Indianapolis to sell three additional brick yards, and for other purposes; was taken up, and read the first time, and committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to revive and continue in force, an act, entitled an act, locating certain permanent roads therein named and for other puposes; was taken up and read a second time and committed to a committee of the whole House and made the order of the day for Monday next.

The bill authorizing the state agent to rent out the improved lands on the donation and for other purposes; was taken up and read a second time, committed to a committee of the whole House and made the order of the day for Monday next.

The bill amendatory to the act, entitled an act, authorizing the building of a state prison and for other purposes; was taken up and read a second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The following bills, viz: The engrossed bill from the Senate, for the election of electors to elect a President and Vice President of the United States; and the engrossed bill from the Senate, changing a part of the state road from Mauks' Ferry, to Indianapolis; were taken up and read a second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The engrossed bill from the Senate, for the relief of securities of persons charged with criminal offences; and also the bill, to amend the act, entitled an act, to amend the acts for opening and repairing public roads and highways; were taken up and read a second time, committed to a committee of the whole House and made the order of the day for Monday next.

The engrossed bill attaching part of Jackson county to the county of Lawrence, and the bill legalizing the proceedings of the board of county commission-

ers of the county of Knox; were taken up and read a third time and passed.

Ordered, That said bills be entitled acts, and that the Senate be informed thereof, and their concurrence therein requested.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The engrossed bill providing for the election of president and trustees for the Monroe county library; was taken up and read a third time and passed.

Ordered, That said bill be entitled an act, that the Senate be informed thereof and their concurrence therein requested.

The bill to attach a part of the county of Jefferson, to the county of Scott; was read a second time and committed to a committee of the whole House and made the order of the day for to-morrow.

A message was received from the Senate by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, for the relief of Westill S. Calkins; in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled an act, to authorize the agent at Indianapolis, to sell lot No. 5, in square No. 57, in said town;

Mr. Bush in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bush reported, that the committee of the whole had, according to order, had the said bill un-

der consideration, and had made an amendment thereto, in which they desire the concurrence of the House.

On motion,

The House concurred in said amendment.

Mr. Beckes then moved to amend said bill, by adding the following provision thereto:

“Provided, that all regular preachers, in good standing in their own societies, shall have liberty to preach in such houses, when such societies are not using them for that purpose themselves.”

And on the question, shall the said bill be so amended? it was decided in the negative; and the yeas and nays being demanded by Messrs. Beckes and Wright of W. the votes were as follows:

Those who voted in the affirmative were,

Messrs. Beckes,	Marshall,
Casey,	Mauk,
De Pauw,	M'Cleery,
Dixon,	Robb,
Dumont,	Rout,
Green,	Scott,
Hunt,	Scoville and
Johnson, of P.	Wright of W —17.
Julian,	

And those who voted in the negative were,

Messrs. Armstrong,	Jackson,
Bassett,	James,
Bently,	Jordon,
Bullock,	Lane,
Burnett,	Lucas,
Bush,	Molder,
Childs,	Palmer,
Clark,	Pennington,
Clendenin,	Smith,
Everts,	Stapp,
Hill,	Wright of R. and
Hawk,	Mr. Speaker—24.

Ordered, That said bill be read a third time to-morrow.

Mr. Scott, from the joint committee on enrolled bills, reported, that said committee had examined the enrolled bill, entitled an act, for the formation of a new county, out of the county of Wabash, and for establishing the county seat thereof.

And the enrolled bill, entitled an act, to amend an act, entitled an act, for the formation of a new county, out of the counties of Owen and Vigo, and north of Owen—approved, December 31, 1821, and for other purposes; and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bill be carried to the Senate, for the signature of the President.

And the House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 21, 1822.

House met pursuant to adjournment.

Mr. Scott, from the select committee, to whom was referred the petition of sundry citizens of Putnam county, praying for a new county, east of Parke county, reported that the committee are well satisfied, that the facts set forth in said petition, are true in the fullest extent, and are well satisfied that the prayer of said petitioners are just and reasonable, and if a new county could be granted them, that the fertility of the soil, and other superior advantages, which that section of the country possesses, would, at no distant period, insure them a wealthy and respectable county,

That a bill has passed at the present session of the General Assembly, for the extension of the boundaries of Putnam county, and inasmuch as such extension includes the territory contemplated in said petition, and inasmuch as the bill for such extension passed this

House, previous to the arrival of said petition, the committee are bound to say, that the prayer of the said petition cannot be granted.

In which report the House concurred.

Mr. Smith, from the select committee, to whom was referred the petition of the commissioners of the county of Marion, on the subject of the donation from the state to the county of Marion, to enable said county to erect a court house at Indianapolis, reported that the said committee had had the same under consideration, and had given it considerable attention, and are of the opinion, that an additional donation to said county, at this session, is not advisable, but that the residue of the donation made at the last session, amounting to upwards of seven thousand dollars, ought to be immediately raised by the state, and vested in the hands of the county commissioners of said county, to enable them to comply with their contract, and progress with the building of the court house, although the source from whence the donation was to be raised, is yet in the possession of the state, yet it is somewhat doubtful, whether a sufficient sum will be realized in time to enable said commissioners to comply with their contract.

Your committee would therefore recommend the adoption of the following resolution:

Resolved, That a committee be appointed to draft a bill, authorizing the agent of state, at Indianapolis, to expose to public sale a sufficient number of lots in said town under the condition of former sales, to make the balance of said donation, and pay the same over to the county commissioners of said county, immediately after receiving the same.

Which report and resolution was ordered to lie on the table.

Mr. Howk, from the select committee to whom was referred the petition of R. W. Nelson and others, praying an act to incorporate a Law Library Company, reported a bill for that purpose.

Which was read the first time, and ordered to a second reading on Monday next.

Mr. Lucas having obtained leave, introduced a bill, to amend the act, establishing a state seminary, and an act amendatory thereto.

Which was read the first time and ordered to be read a second time on Monday next.

Mr. Hunt having obtained leave, introduced a bill, to incorporate congressional townships and school districts.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Beckes having obtained leave, introduced a bill for the more speedy assignment of dower.

Which was read the first time and ordered to be read a second time on Monday next.

Mr. Scott, from the joint committee on enrolled bills, reported that said committee had examined the enrolled bill, entitled an act, for the re-location of the seat of justice of Union county, and had found it truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the same be carried to the Senate for the signature of the President.

Mr. Scott further reported, that enrolled bills had been presented to said committee, in the hand writing of the enrolling clerk of this House, which are enrolled so indifferently, that said committee were unwilling to report them, and no bills had been reported in his hand writing.

Mr. Smith then offered the following resolution:

Resolved, That the present enrolling clerk of the House of Representatives, be dismissed from further service, on account of his hand writing disqualifying him to perform the duties of his office.

On motion,

The further consideration of said resolution was postponed until Monday next.

A message was received from the Senate by Mr. Ray, announcing that the Senate had passed the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee to be appointed by the House of Representatives, to enquire what amendments, if any, are necessary to an act, to provide for judicial circuits, and fixing the times of holding courts—approved, December 31, 1821, and that the House of Representatives be informed thereof, and a similar resolution requested on their part.

The Senate have appointed the judiciary committee on their part.

And he withdrew. And

On motion by Mr. Howk,

Resolved, That the judiciary committee be instructed to meet the judiciary committee on the part of the Senate, to enquire what amendments, if any, are necessary to an act, providing for judicial circuits, and fixing the times of holding courts therein—approved, December 31, 1821, and that the Senate be informed thereof.

Mr. Scotille having obtained leave, introduced a bill, to attach a part of Ripley county, to the county of Switzerland.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Julian having obtained leave, introduced a bill, altering the western boundary line of Wayne county.

Which was read the first time and ordered to be read a second time on Monday next.

Mr. Hill, from the select committee, to whom was referred the petition of the heirs and administrators of the estate of John Fincher, deceased, reported a bill for the benefit of said heirs.

Which was read the first time and ordered to be read a second time on Monday next.

The House proceeded to consider the orders of the day.

The bill for the assessment and collection of revenue.

The engrossed bill from the Senate, entitled an act, appointing commissioners to locate a road from Lawrenceburgh, by way of Rising Sun and Vevay, to Madison.

The engrossed bill from the Senate, entitled an act, to provide for the safe keeping of persons charged with criminal offences.

And the bill, amendatory to the act, regulating domestic attachments, were taken up, and severally read the second time, committed to a committee of the whole House, and made the order of the day for Monday next.

The engrossed bill from the Senate, entitled an act, for the relief of William Harrington.

The engrossed bill from the Senate, entitled an act, to dissolve the bans of matrimony between James Fowler and Eliza Fowler his wife, late Eliza Sharp.

The engrossed bill from the Senate, entitled an act, to amend the act, establishing a county treasury.

The engrossed bill from the Senate, entitled an act, for the relief of Westill S. Calkins.

The bill for the re-location of the county seat of Scott county.

And the bill for the location of a state road therein named, were taken up, and severally read the second time, committed to a committee of the whole House, and made the order of the day for Tuesday next.

The engrossed bill from the Senate, entitled an act, divorcing John Blue from his wife, was read the second time, and ordered to be read a third time on Monday next.

A message was received from the Senate, by Mr.

Farnham, announcing that the Senate had passed the engrossed bill from this House, giving the citizens of Indianapolis, a public burying ground; with an amendment thereto.

In which they desire the concurrence of this House. And he withdrew.

And the said amendment was considered and concurred in.

Ordered, That the Senate be informed thereof.

The bill to provide for the payment of commissioners on state roads, was read the second time, and ordered to be engrossed for a third reading on Monday next.

The bill altering and establishing the boundary of Marion county, was read the second time, and ordered to be engrossed for a third reading on Tuesday next.

Mr. Scott from the joint committee for enrolled bills, reported that the said committee did, on this day, present to his excellency, the Governor, for his approbation and signature, the following enrolled bills, entitled as follows, viz:

An act, to repeal part of an act, entitled an act, amending and confirming an act, regulating the fees of the several officers and persons therein named.

An act for the relief of Benjamin Olney and Rachel Simpson.

An act, to amend the act, entitled an act, for the formation of a new county, out of the counties of Owen and Vigo, and north of Owen—approved, December 31, 1821, and for other purposes.

An act for the formation of a new county, out of the county of Wabash, and establishing the county seat thereof.

And an act for the re-location of the seat of justice of Union county.

The bill to legalize the proceedings of the commissioners on the state road from Winchester to Indiana

polis, was taken up and referred to the standing committee on state roads.

The engrossed bill from the Senate, entitled an act, to authorize the agent at Indianapolis, to sell lot No. 5, in square No. 57, in said town, was read the third time. And on the question, shall this bill pass? it was decided in the negative, and the yeas and nays being demanded by Messrs. Robb & Wright of W. the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,	Hunt,
Bassett,	Jackson,
Bently,	James,
Burnett,	Jordon,
Bush,	Palmer,
Childs.	Pennington,
Dumont.	Smith,
Everts,	Stapp and
Howk,	Mr. Speaker—18.

And those who voted in the negative were.

Messrs. Beckes,	Marshall,
Casey,	Mauk,
Clark,	M'Cleery,
Clendenin,	Robb,
De Pauw,	Rout,
Dixon,	Scott,
Green,	Scoville,
Hill,	Wright of R. and
Johnson of P.	Wright of W—19.
Julian.	

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The House, according to order, now resolved itself into a committee of the whole, on the bill to amend the act, regulating the granting of letters testamentary, and letters of administration, for the settlement of testate and intestate estates;

Mr. Johnson of P. in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Johnson reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which they desire the concurrence of the House.

On motion,

The House concurred in the said amendments generally.

Ordered, That said bill be engrossed for a third reading on Monday next.

The House, according to order, now resolved itself into a committee of the whole, on the bill to amend the act, regulating the duties and jurisdiction of justices of the peace;

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same.

In which they ask the concurrence of the House.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, DECEMBER 23, 1822.

House met pursuant to adjournment.

The Speaker laid before the House a communication from James Walker, trustee of the public seminary of the county of Dearborn, from which it appears, that there is in his hands the sum of \$453 25 of the seminary funds of said county.

Which was read and referred to the committee on education.

Mr. Scott having obtained leave, introduced a bill

for the relief of Thomas H. Clark, collector of the revenue for the county of Vigo.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Smith having obtained leave, introduced a bill, supplemental to an act, entitled an act, incorporating a county library in the county of Dubois, and other counties therein named.

Which was read the first time, and ordered to be read a second time to morrow.

Mr. Howk having obtained leave, introduced a bill, to amend the act, reducing into one, all the acts and parts of acts, respecting crimes and punishments.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee of ways and means, now reported the budget of expenses of the current year; as also, the probable receipts at the treasury for said year, which is as follows, viz.

The committee of ways and means, to whom was referred so much of the Governor's message as relates to the revenue, together with the reports of the auditor of public accounts and treasurer of state, have had the same under consideration, and from the best information they can obtain, the expenses of the current year, commencing on the 30th day of November, 1822, and ending the 30th day of November, 1823, will amount to the sum of nineteen thousand six hundred and fifty dollars, as will more fully appear from the following estimate:

In discharging the claims of the legislative department, including incidental expenses, the sum of	\$ 8,000 00
In discharging the claims of the judiciary department, the sum of	5,600 00
In discharging the claims of the executive department, the sum of	2,200 00

In discharging militia expenditures, the sum of	200 00
In discharging the expenditures of public printing, the sum of	2,000 00
In discharging claims for stationary, the sum of	250 00
Attorney general's salary, the sum of	200 00
In discharge of the demand on the contingent fund, the sum of	700 00
In discharge of the amount necessary to be appropriated to the state prison, the sum of	500 00

Amounting in the whole, to the }
sum of } \$19,650 00

To which may be added the amount due Murray and Gray, for building the state prison, the sum of	2,899 50
Also the deficit to meet the claims audited to the 30th November, 1822, the sum of	4,002 37 ¹ / ₂
The amount due on the state debt, on the 1st day of January next, is	2,266 14
The amount pledged for the redemption of treasury notes, is	20,000 00

Making a sum total of \$48,818 01¹/₂

The probable amount of the receipts at the treasury department, for the current year, commencing as aforesaid, is (agreeably to the estimate, made by the auditor of public accounts,) the sum of thirty one thousand eight hundred and thirty one dollars twenty six and a half cents, as will more fully appear from the following detail:

Balance due from sundry collectors, for

the years 1819, 1820 and 1821, the sum of	1,290 89
Amount due from the several counties from which duplicates have been received (exclusive of sheriffs' commissions,) the sum of	22,740 20
Amount due from the several counties, from which no returns have been received, estimated by the returns of former years, the sum of	6,259 80
Amount of state bank paper in the treasury to be paid on the state debt, the sum of	540 37 $\frac{1}{2}$
Making a sum total of	<hr/> \$31,831 26 $\frac{1}{2}$
From which may be deducted the probable amount of delinquencies, for the year 1822, the sum of	1,831 26 $\frac{1}{2}$

Leaving a balance of \$30,000 00

Which sum being deducted from the probable amount of the claims against the treasury, for the financial year, will leave a deficit of the sum of eighteen thousand eight hundred and eighteen dollars, one and an half cents, which deficit, it becomes the duty of the present General Assembly to provide means to supply.

And as to the means most proper for this purpose, your committee are under the necessity of recommending a re-issue of treasury notes.

Your committee would here remark, that they have taken into the above estimate the amount paid into the state treasury by the agent at Indianapolis, as also the amount that has been and is to be, (agreeably to the above estimate,) paid out in defraying the expenses connected with that fund, and for building permanent buildings for the use of the state, and find a balance

against the treasury department of the sum of two thousand three hundred and seventy nine dollars and thirty cents, as will more fully appear from the following detail:

Amount paid into the treasury by the agent
at Indianapolis, \$ 8,003 00

Amount paid out of the treasury, for defraying the expenses of laying off a town at the seat of government, agent's salary, and other incidental expenses, the sum of \$2,224 20

Amount paid Murray and Gray, for building the state prison, 500 00

Amount due Murray and Gray for building the state prison, the sum of 2,899 50

Making a sum total paid and to be paid out of the treasury, of \$5,623 70

Which being deducted from the amount paid into the treasury, leaves a balance against that department, of the sum of 2,379 30

Which sum, in the opinion of your committee, should not be used in the current expenses of the financial year, but should be applied to the building of permanent buildings for the state, so soon as that amount can be spared from the treasury department.

And your committee would further state, that from an estimate made under the present system of taxation, the probable amount of revenue for the ensuing year, will be (exclusive of sheriffs' commissions and delinquencies,) the sum of 30,000 00

From which deduct the above
sum of \$2,379 30

As also the probable expenses
for the current year of 1823,
the sum of

20,000 00

————— \$22,379 00

Leaving a balance in the treasury on the
second Monday in December next, the
sum of

\$7,621 00

Which may be applied to the reduction of the state
debt, or to diminish the amount of treasury notes in
circulation.

All of which is respectfully submitted.

MILTON STAPP, *Ch'n.*

Which report being read, was committed to a com-
mittee of the whole House and made the order of the
day for to-morrow.

Mr. Everts presented the petition of sundry citi-
zens of Fayette and Union counties, praying an al-
teration in a certain state road therein named.

Which was read and referred to a select committee
to whom was referred the bill legalizing the proceed-
ings of the commissioners on the state road from the
Ohio state line through Connersville to Indianapolis.

On motion by Mr. Hill,

Mr. Wright of R. was added to the said last men-
tioned committee.

Mr. Bush presented the petition of sundry citizens
of Franklin county, praying a change in the state
road from the Ohio state line, to Brookville, thence
to Indianapolis.

Which was referred to the standing committee on
state roads.

Mr. Howk presented the petition of Charles Ross
and others, praying an act to authorize a state road
from Jacobs' Ford, on Silver creek, in Clark county,
to intersect the state road from M'Donald's Ferry, to
Indianapolis, at or near the Pine Lick.

Which was referred to the committee of the whole,
to whom was referred the amendments made by the

Senate to the bill from this House, to locate a state road from Aurora to Indianapolis.

Mr. Scott presented the petition of sundry citizens of Putnam county, praying an act giving a premium for Wolf scalps.

Which was read and referred to a select committee of Messrs. Scott, Beckes, Smith, Bush and Wright of R.

Mr. Dumont, from the select committee, to whom was referred the petition of the inhabitants of Switzerland county, praying an act, to authorize the commissioners of the several counties in this state, whenever they may deem it expedient, to lay a tax on dogs in their respective counties, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Everts presented the petition of William Youse, late collector of the revenue in Union county, praying certain relief.

Which was read and referred to a select committee of Messrs. Everts, Bassett, Jackson, Lane and Bentley.

A message was received from the Senate by Mr. Chambers, announcing that the Senate had passed the engrossed bill from this House, entitled an act for the relief of Reuben H. Murray and Robert Gray, with one amendment thereto, in which they desire the concurrence of this House.

And he withdrew.

And the said amendment was taken up, considered and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Baird, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to authorize John Conner, to erect a mill dam across White river, at the Horse Shoe Bend, without amendment.

A message was received from the Governor, by John W. Payne, Esq. his private secretary, announcing, that his excellency did, on the 21st inst. approve and sign—

An act to repeal part of the act, entitled an act, amending and confirming an act, regulating the fees of the several officers and persons therein named.

And an act for the relief of Benjamin Olney and Rachel Simpson.

Both of which originated in this House.

Mr. Beckes, having obtained leave, introduced a joint resolution, for the benefit of the public printer.

Which was read the first time, and ordered to be read a second time to-morrow.

On motion,

The House proceeded to consider the petition of Looker, Reynolds & Co. praying compensation for advertising lots for sale at Indianapolis; which petition was heretofore read and laid on the table, and the same was referred to the committee of ways and means, with instructions to consider the same and the evidence accompanying said petition, with leave to provide in the bill, making specific appropriations for the payment of said claim, if they shall deem it expedient.

On motion by Mr. Burnett,

The petition of John Kelly and others, of Floyd county, praying an alteration in a certain state road.

Was taken up and referred to the standing committee on state roads.

A message was received from the Senate, by Mr. Chambers, announcing that the Senate had passed the engrossed bill from this House, providing for the election of a president and trustees of the Monroe county library, without any amendment thereto.

The House then proceeded to consider the orders of the day.

The bill to incorporate a law library company; was.

read the second time and ordered to be engrossed for a third reading to-morrow.

The bill to amend the act establishing a state seminary, and the act amendatory thereto.

The bill for the more speedy assignment of dower.

The bill attaching part of the county of Ripley, to the county of Switzerland.

And the bill establishing the western boundary line of Wayne county and for other purposes; were each read the second time and committed to a committee of the whole House and made the orders of the day for to-morrow.

The bill to incorporate congressional townships and school districts; was read the second time and committed to a select committee of *Messrs.* Hawk, Hunt, Childs, Everts, Bullock, Scott, James, Robb and Casey.

On motion,

The committee of the whole, to whom was referred the bill to incorporate township schools, were discharged from the further consideration thereof and the said bill was referred to the last mentioned select committee.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills, entitled acts, viz:

An act, amendatory to an act, to amend an act, entitled an act, to licence and regulate taverns.

An act to authorize the agent of the county of Fayette, to sell certain public ground, in the town of Connersville, in said county of Fayette.

And a joint resolution respecting printing, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof, and the signature of the President be requested to said bills.

The House proceeded to the consideration of the resolution on the subject of the enrolling clerk of this House. And

On motion,

The further consideration of the same was indefinitely postponed.

The House proceeded to consider the amendments made in committee of the whole, to the bill, to amend the act, regulating the duties and jurisdiction of justices of the peace.

And the said amendments were taken up, and severally read and concurred in, except the amendment made by inserting in the sixth section, after the word "the," in the first line, these words, "second and."

In which amendment the House refused to concur.

And on that question, the yeas and nays being demanded by Messrs. Howk and Everts, the votes were as follows—yeas 7, nays 32.

Those who voted in the affirmative were,	
Messrs. Bullock,	Pennington,
Burnett,	Rout and
Childs,	Smith.
Clark,	

And those who voted in the negative were,

Messrs. Armstrong,	Johnson of P.
Bassett,	Jordan,
Beckes,	Julian,
Bush,	Lane,
Casey,	Lucas,
Clendenin,	Marshall,
Daniel,	Mauk,
De Pauw,	M'Cleery,
Dixon,	Palmer,
Dumont,	Robb,
Green,	Scott,
Hill,	Scoville
Howk,	Stapp,
Hunt,	Wright of R.
Jackson,	Wright of W. and
James,	Mr. Speaker.

Mr. Beckes then offered to amend said bill, by adding the following additional section thereto, viz.

SECTION That so much of the second section of the act, entitled an act, regulating the duties and jurisdiction of justices of the peace—approved, January 28, 1818, as authorizes a justice of the peace to empanel a jury, and enquire into any criminal accusation, or for a breach of the peace, and the whole of the 29th section of said act be, and the same is hereby repealed.

Provided however, That any justice of the peace may and shall hereafter enquire into, in a summary manner, and punish by fine not exceeding three dollars, all trivial and inferior breaches of the peace, and judgment give, and execution award, which fine when collected, shall be paid over to the agent or trustee of the county seminary.

Provided also, That if, upon examination of the witnesses, it shall appear to the justice, that three dollars would not be an adequate punishment for such offence, it shall be his duty to recognize the party and the witnesses on the first day of the next term of the circuit court to answer to such charge.

And on the question, shall the said bill be so amended? it was decided in the affirmative; and the yeas and nays being demanded by Messrs. Pennington and Lucas, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Beckes,

Burnett,

Casey,

Clark,

Daniel,

Dixon,

Green,

Hill,

Jackson,

James,

Johnson, of P.

Julian,

Lane,

Marshall,

M'Cleery,

Palmer,

Pennington,

Rout,

Scott,

Smith,

Stapp,

Wright of R.

Wright of W. and

Mr. Speaker—24.

And those who voted in the negative were;

Messrs. Armstrong,
Bassett;
Bently,
Bullock,
Bush,
Childs,
Clendenin,
De Pauw,
Dumont,

Everts,
Howk,
Hunt,
Jordon,
Lucas,
Mauk,
Rebb and
Scoville—17.

Mr. Pennington then offered the following amendment, as an additional section thereto.

SEC No keeper of a tavern, or retailer of spirituous or strong liquors, shall hereafter be eligible to the office of a justice of the peace.

And on the question, will the House adopt said amendment? it was decided in the negative.

On motion,

Ordered, That said bill be engrossed for a third reading to-morrow.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

Mr. Green presented the petition of sundry citizens of Crawford county, praying an act giving a remedy for injuries sustained in certain salt petre caves.

Which was referred to a select committee of Messrs. Green, Jackson, James, Clendenin and Pennington.

The House, according to order, now resolved itself into a committee of the whole, on the bill to amend the act, for the better regulation of the militia of the state of Indiana;

Mr. James in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. James reported, that the committee of the

whole had, according to order, had the said bill under consideration, and had made some amendments to the same.

In which he asked the concurrence of the House.

Which amendments he handed in at the clerk's table, where they were again read, and concurred in by the House.

Mr. Stapp then moved that the further consideration of said bill be indefinitely postponed.

Which motion was negatived.

Mr. Clendenin then offered to amend said bill, by adding the following provision thereto.

“And all acts, and parts of acts, now in force, providing for holding brigade drill musters.”

And on the question, shall the said bill be so amended? the yeas and nays being demanded by Messrs. Clendenin and Childs, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Jackson,
Beckes,	Jordan,
Childs,	Julian,
Clendenin,	Mauk,
Dixon,	Palmer,
Everts,	Pennington,
Green,	Robb,
Hill,	Rout,
Howk,	Scott and
Hunt,	Wright of R—20.

And those who voted in the negative were;

Messrs. Armstrong,	Jackson,
Bently,	Lane,
Bullock,	Lucas,
Burnett,	Marshall,
Bush,	M'Cleery,
Clark,	Scoville,
Daniel,	Smith,
Dumont,	Stapp,
De Pauw,	Wright of W. and
James,	Mr. Speaker—20.

There being an equal number of votes in the affirmative and negative, the motion failed.

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Sholtz, announcing that the Senate had passed the engrossed bill from this House, entitled an act, legalizing the proceedings of the board of county commissioners of the county of Knox, without amendment.

The House, according to order, now resolved itself into a committee of the whole, on the memorial to Congress on the subject of establishing a circuit court of the United States within this state;

Mr. Hunt in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hunt reported, that the committee of the whole had, according to order, had the said memorial under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

On motion by Mr. Lane,

The said memorial was ordered to lie on the table until to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill limiting stays on executions to sixty days, after the 15th day of June next;

Mr. Lane in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Lane reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein,

but not having time to go through the same, had directed him to ask leave to sit again.

On motion,

Leave was given the committee to sit again.

And the House adjourned until Monday morning, 9 o'clock.

TUESDAY MORNING, DECEMBER 24, 1822.

House met pursuant to adjournment.

Mr. Pennington presented the petition of Joseph Paddox, sheriff of Harrison county, praying for certain relief therein named.

Which was read and referred to a select committee of Messrs. Pennington, James, Robb, Bullock and Smith.

Mr. Bullock, from the select committee to whom was referred the petition of sundry citizens of the town of Vernon, in the county of Jennings, praying for the passage of a law for their incorporation, as a school society, reported a bill for that purpose.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Smith presented a communication from William F. Elkins, of Union county, remonstrating against the removal of the seat of justice of said county.

Which was read and referred to a select committee of Messrs. Pennington, Smith, Howk, Rout and Bullock.

Mr. Pennington, having obtained leave, introduced a bill, to repeal an act, entitled an act, providing for the public printing—approved, December 30, 1816.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Pennington presented the petition of sundry citizens of Harrison and Crawford counties, on the

subject of the state road, contemplated to run from New Albany, by way of Corydon, to Princetown.

Which was read and referred to the same committee of the whole, to whom was referred the bill on the same subject, entitled a bill, for the location of a state road therein named.

The bill for the relief of Thomas H. Clark, collector of the revenue of the county of Vigo.

And the bill, supplemental to an act, entitled an act, to incorporate a county library in the county of Dubois, and other counties therein named, were both severally read the second time, and were ordered to be read a third time on to-morrow.

The bill to amend the act, reducing into one act, all acts and parts of acts, relative to crime and punishment.

And the joint resolution for the benefit of the public printer, were each read the second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

The bill authorizing the county commissioners of any county, if they should deem it proper, to levy a tax upon dogs, was read a second time, and referred to the committee of the whole, and made the order of the day for Friday next.

The memorial to the Congress of the United States, on the subject of establishing a circuit court of the United States within this state, was then taken up, read and adopted.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The House, according to order, now resolved itself into a committee of the whole, on the bill limiting the stay on executions to sixty days, on all contracts entered into from and after the 15th day of June next;

Mr. Lane in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Eane reported, that the committee of the whole had, according to order, had said bill under consideration, and had directed him to report the same without amendment.

Ordered, That the said bill be engrossed and read a third time on to-morrow.

A message was received from the Senate, by Mr. Ray, a member, announcing that the Senate have passed an engrossed bill, entitled an act, to regulate the writ of *capias ad satisfaciendum*, and to abolish imprisonment for debt, except for fraud.

In which he was directed to ask the concurrence of this House.

And he withdrew. And

Thereupon,

The said bill was read the first time and ordered to be read a second time on to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill for the relocation of a state road from Rising Sun to Versailles;

Mr. Armstrong in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Armstrong reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same, by striking it out from the enacting clause.

In which he asked the concurrence of the House.

And on the question, shall the House concur in said amendment? it was decided in the affirmative, and the ayes and noes being demanded by Messrs. James and Smith, the votes were as follows.

Those who voted in the affirmative were,

Messrs. Armstrong,
Beckes,
Bently,
Bullock,
Burnett

Green,
Howk,
Johnson of P.
Julian,
Lane,

Casey,
Childs,
Clark,
Clendenin,
Daniel,
De Pauw,
Dixon,
Everts,

Mauk,
M'Cleery,
Molder,
Palmer,
Robb,
Wright of R. and
Wright of W.—25.

And those who voted in the negative were,

Messrs. Bassett,
Bush,
Hill,
Hunt,
Jackson,
James,
Jordan,

Marshall,
Pennington,
Scott,
Scoville,
Smith,
Stapp and
Mr. Speaker—14.

A message was received from the Senate, by Mr. Craig, a member, announcing that the Senate have passed an engrossed bill, entitled an act, declaring Laughery creek navigable, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was,

Thereupon,

Read the first time and ordered to a second reading on to-morrow.

The Speaker laid before the House a communication from Jacob Arganbright, praying an investigation of the official conduct of John Tresenriter, esq. a justice of the peace, for the county of Harrison.

Which was read and referred to a select committee, of Messrs. Bullock, Hawk and Scott.

Mr. Scott, from the joint committee, for enrolled bills, reported that the said committee had compared the enrolled with the engrossed bill, entitled an act, authorizing John Conner, to erect a mill dam across White river, at the Horse Shoe Bend, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bill be carried to the Senate, and laid before the President thereof for his signature.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill altering and arranging the boundaries of Marion county, and the engrossed bill to incorporate a State Law Library Company; were both read a third time and passed.

Ordered, That the same be entitled acts, and carried to the Senate, and their concurrence therein requested.

The House now resolved itself into a committee of the whole, on the bill relative to costs and fee bills;

Mr. Bush in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bush reported, that the committee of the whole had, according to order, had the said bill under consideration and had directed him to report the same without amendment.

Mr. Robb then offered the following amendment to the said bill, to wit:

That the second section of an act, entitled an act, relative to costs and fee bills, in this state—approved, 31st day of December, 1821, be and the same is hereby repealed; and that from and after the taking effect of this act, no person or persons, either plaintiff or plaintiffs, complainant or complainants, defendant or defendants, who shall succeed in any suit, either at common law or in chancery, shall be held liable to pay any costs whatever, but the several officers to

whom fees may be due, shall have remedy against the person or persons against whom judgment may be awarded; any law, custom or usage to the contrary notwithstanding. This act to take effect and be in force from and after its passage.

And on the question, shall the said amendment be adopted? it was decided in the negative; and the yeas and nays being demanded by Messrs. Robb and Johnson of P.—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Casey,
De Pauw,

Johnson of P. and
Robb—4.

And those who voted in the negative were.

Messrs. Armstrong,
Bassett,
Beckes,
Bullock,
Burnett,
Bush,
Childs,
Clark,
Clendenin,
Daniel,
Dixon,
Dumont,
Everts,
Green,
Hill,
Howk,
Hunt,
Jackson,
James,

Jordon,
Julian,
Lane,
Lucas,
Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,
Pennington,
Rout,
Scott,
Scoville,
Smith,
Stapp,
Wright of W.
Wright of R. and
Mr. Speaker—36.

Mr. Lane then moved to postpone the said bill indefinitely.

Which motion was carried in the affirmative.

A message was received from the Senate, by Mr. Graham, announcing that the Senate have passed an engrossed bill, entitled an act, providing for the alter-

ing of state roads, which originated in the House of Representatives, with sundry amendments; in which he asked the concurrence of the House of Representatives.

And the House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 25, 1822.

House met pursuant to adjournment.

The Speaker laid before the House the petition of sundry citizens of Monroe county, praying an alteration in the state road, leading from the Horse Shoe Bend, on the Ohio river to Indianapolis.

Which was read and laid on the table.

The House proceeded to consider the amendments made by the Senate to the engrossed bill from this House, entitled an act, for altering state roads and for other purposes, and the said amendments were taken up and severally read; and on the question, will the House concur in the first amendment to said bill? which was made by striking out the provision, by which it was provided, that persons should not recover costs where they did not recover damages to the amount of fifty dollars, it was decided in the affirmative.

To which decision of the House, Mr. Smith entered the following protest.

The undersigned in the name of himself and constituents, solemnly protest against the concurrence of this House, in the first amendment made by the Senate to said bill, for the following reasons:

1st. Because the act of Congress, authorizes the state to vest said fund in roads and canals only; and this state having no power over said fund except that expressly given by said act, consequently has no power to pay any costs, which may be adjudged against her

in such suits, out of said fund, but would be bound to pay such costs out of the treasury of state.

2d. Because by concurring in said amendment, we encourage persons to commence suits in cases where mere nominal damages are sustained, which must unavoidably crowd our courts with such suits, and open the door to endless litigation.

3d. Because, admitting that the state has the power to discharge such costs, out of the three per cent. fund; yet the whole of that fund will be sunk in the payment of costs, and the grand object of internal improvement will be totally defeated; but if the state has no such power, it will require an additional tax to be levied, to enable the state to meet such costs, which the people at this time are not able to bear and ought not to submit to.

O. H. SMITH.

The next amendment was made in the 4th section of the bill, by providing that the commissioners on state roads, should have two dollars per day each, for their services on said roads.

Mr. Childs then moved to amend the amendment, by striking out the words "two dollars," and inserting in lieu thereof, the words "one dollar and fifty cents."

A division of the question being called for, the question was taken on striking out the words "two dollars," which carried in the affirmative; and on that question, the yeas and nays being demanded by Messrs. De Pauw and Bullock—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bush,
Childs,
Clark,
De Pauw,
Everts,
Green,

M'Cleery,
Palmer,
Pennington,
Robb,
Rout,
Scott,
Scoville

Hunt,
James,
Johnson of P.
Jordan,
Mauk,

Smith,
Stapp,
Wright of R. and
Mr. Speaker.—23.

And those who voted in the negative were,

Messrs. Bassett,
Beckes,
Bently,
Burnett,
Daniel,
Dixon,
Dumont,
Hill,

Howk,
Jackson,
Julian,
Lane,
Lucas,
Marshall,
Molder and
Wright of W.—16.

The question then recurred on inserting the words "one dollar and fifty cents;" and which being put, was also carried in the affirmative; and the yeas and nays being demanded by Messrs. De Pauw and Lucas—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Bullock,
Burnett,
Bush,
Childs,
Clark,
De Pauw,
Green,
Hunt,
Johnson, of P.
Jordan,

Mauk,
M'Cleery,
Palmer,
Pennington,
Robb,
Rout,
Scott,
Scoville,
Smith,
Stapp,
Wright of R. and
Mr. Speaker—24.

And those who voted in the negative were,

Messrs. Beckes,
Bently,
Daniel,
Dixon,
Dumont,
Everts,
Hill,
Howk,

Jackson,
James,
Julian,
Lane,
Lucas,
Marshall,
Molder and
Wright of W.—16.

Mr. Scott then moved to amend the amendment in the seventh section of said bill, by striking out the words, "president of the road," and insert in lieu thereof the words, "agent of the three per cent. fund," which carried in the affirmative.

On motion,

The House concurred in the said amendments, as amended, and in all the other amendments made by the Senate to said bill.

Ordered, That the Senate be informed thereof, and their concurrence requested in the amendments made by this House, to their amendments to said bill.

A message was received from the Senate, by Mr. Gray, announcing that the Senate had passed an engrossed bill, giving further privileges to the freemen of the town of Lawrenceburgh, in the county of Dearborn; in which they desire the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read a second time to-morrow.

Mr. Robb presented the petition of Polly Mosely, administratrix of Enos Mosely, deceased, praying certain relief.

Which was read and referred to a select committee of Messrs. Robb, Bush and Casey.

Mr. Bassett introduced a bill to incorporate a public seminary at Aurora.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Pennington, from the select committee, to whom was referred the petition of Joseph Paddacks, sheriff of Harrison county, and of the supreme court, praying certain relief, reported a bill to amend the act, regulating the duties of sheriffs and coroners.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Bently presented the remonstrance of William

Youse and others, of Union county, against the removal of the seat of justice of said county.

Which was read and referred to a select committee, to whom was referred the communication of William F. Elkin, on the same subject.

Mr. Scott submitted the following resolution:

Resolved, That the standing committee on roads, be instructed to enquire into the expediency of passing a law, requiring county roads to be opened wider than is required by the existing laws of this state, and that they report to this House by bill or otherwise.

Which resolution was rejected.

Mr. Rout, from the select committee, to whom was referred the petition of Charles Sefret, praying an act, divorcing him from his wife, late Hetty Mozee, reported a bill for that purpose.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Smith presented the petition of John Norris, administrator of the estate of Jane Norris and David Norris, deceased, praying an act, authorizing him to lay out certain funds of the said estate, for lands, for the benefit of the heirs of said deceased.

Which was read and referred to a select committee of Messrs. Smith, Stapp, Bassett, James and Robb.

On motion by Mr. James,

Resolved, That this House will adjourn, *sine die*, on Wednesday, the first day of January next; and that the Speaker be authorized to forward all business of general interest to the state, in preference to local business, and that no new business will be received in this House, after the 27th inst.

Ordered, That the Senate be informed thereof.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

Mr. Rout presented the petition of Agnes M'Kinley, praying that the state road from Hindostan, in the county of Martin, to Washington, in the county of Daviess, may be established on the the rout as first located.

Which was read and laid on the table.

Mr. Casey, having obtained leave, introduced a bill, attaching part of the county of Gibson, to the county of Posey.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Scott, from the select committee, to whom was referred the petition of the inhabitants of Putnam county, praying an act, to encourage the killing of wolves, reported a bill for that purpose.

Which was read the first time, and

On motion,

The said bill was rejected.

Mr. Jordan presented the petition of John Spahr, praying a divorce from his wife.

Which was read with the accompanying documents, and referred to a select committee of Messrs. Jordan, Marshall and Julian, with leave to report thereon by bill or otherwise.

The bill to incorporate a school society in the town of Vernon, in the county of Jennings, was read the second time, and ordered to be engrossed for a third reading to-morrow.

The bill to repeal the act, entitled an act, providing for the public printing, was read the second time, and ordered to be engrossed for a third reading to-morrow.

The bill from the Senate, entitled an act, regulating the writ of *capias ad satisfaciendum*, and to abolish imprisonment for debt, except in cases of fraud; was read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill from the Senate, declaring Laughery creek navigable, was read the second time, committed to a

committee of the whole House, and made the order of the day for Friday next.

On motion by Mr. Bullock,

Resolved, That the Speaker of this House be requested to issue subpœnas, to compel the attendance of witnesses on the charges preferred by Jacob Arganbright, against John Tresenriter, a justice of the peace of Harrison county.

The House proceeded to consider the report and resolution, which was heretofore submitted by the select committee, to whom was referred the memorial of the county commissioners of the county of Marion, on the subject of an appropriation, to enable said commissioners to progress with the building of a court house at Indianapolis. And

On motion,

The House concurred in said report and resolution.
And

Thereupon,

Messrs. Smith, Hunt, James, Hawk and Bassett, were appointed the select committee, contemplated in said resolution.

The committee of the whole, to whom was referred the bill for the apportionment of Senators and Representatives in the counties therein named, were discharged from the further consideration thereof. And

On motion,

The further consideration of the same was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill appointing commissioners, to locate a state road from Columbus to Bloomington, and the amendments made by the Senate, to the bill from this House, entitled an act, to establish a state road from Aurora, in the county of Dearborn, to Napoleon in the county of Ripley;

Mr. Scott in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Scott reported, that the committee of the whole had, according to order, had the said bill and amendments under consideration, and had amended the former, by striking it out from the enacting clause, and had made sundry amendments to the latter, to all of which he asked the concurrence of the House,

And

On motion,

The House concurred in the amendment made by the committee of the whole, in striking said bill from the enacting clause.

Mr. Bassett then moved that the House concur generally in the amendments made by the committee of the whole, to the said amendments of the Senate.

Which motion was decided in the negative.

And the yeas and nays being demanded by Messrs. Burnett and Beckes, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Jackson,
Bently,	Lucas,
Bullock,	Marshall,
Dumont,	Stapp and
Everts,	Wright of W—11.
Hunt,	

And those who voted in the negative were,

Messrs. Armstrong,	Julian,
Beckes,	Lane,
Burnett,	Mauk,
Bush,	M'Cleery,
Casey,	Molder.
Childs,	Palmer,
Clark,	Pennington,
Clendenin,	Robb,
Dixon,	Rout,
Green,	Scott,
Hill,	Scoville,
Hawk,	Smith,
James,	Wright of R. and
Johnson of P.	Mr. Speaker—29.
Jordan,	

And the House adjourned until to-morrow morning,
9 o'clock.

THURSDAY MORNING, DECEMBER 26, 1822.

House met pursuant to adjournment.

A message was received from the Senate, by Mr. Farnham, their assistant secretary, announcing that the Senate had passed the memorial to Congress, from this House, on the subject of establishing a circuit court of the United States in this state, with an amendment thereto.

In which they request the concurrence of this House.

And he withdrew.

And the said amendment was taken up, considered and concurred in.

Ordered, That the Senate be informed thereof.

Mr. Robb, from the select committee to whom was referred the petition of Polly Mosely, administratrix of the estate of Enos Mosely, deceased, praying certain relief, reported a bill, giving the relief prayed for.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Pennington, from the select committee, to whom was referred the bill for the location of a state road from the town of Rising Sun, in Dearborn county, to Versailles, in Ripley county, reported said bill, with an amendment.

Which was read;

And the said bill was ordered to be read a second time to-morrow.

Mr. Pennington, from the select committee, to whom was referred the remonstrance of the citizens of Union county, against the removal of the seat of justice of said county, reported a joint resolution, suspending

the operation of the bill, entitled an act, for the re-location of said county seat, until the next meeting of the General Assembly.

Which was read the first time. And

On motion by Mr. Everts;

The same was rejected.

And on that question, the yeas and nays being demanded by Messrs. Scott and Smith, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Bullock,
Burnett,
Bush,
Clark,
Clendenin,
Daniel,
Dumont,
Everts,
Green,
Hill,
Howk,
Jackson,

James,
Jordan,
Julian,
Lane,
Lucas,
Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,
Scoville,
Stapp and
Wright of R—27.

And those who voted in the negative were,

Messrs. Beckes,
Bently,
Casey,
Childs,
De Pauw,
Dixon,
Hunt,

Johnson of P.
Pennington,
Robb,
Scott,
Smith,
Wright of W. and
Mr. Speaker—14.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed an engrossed bill, entitled an act, providing for the revision and compilation of the statute laws of this state.

In which they ask the concurrence of this House.

And he withdrew.

And the said bill was taken up, and read the first time.

Mr. Hunt moved that the further consideration of said bill be indefinitely postponed.

Which was decided in the negative.

And the yeas and nays being demanded by Messrs. De Pauw and Lucas, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bently,	Hunt,
Clark,	Molder,
Clendenin,	Scoville and
De Pauw,	Wright of W—8.

And those who voted in the negative were,

Messrs. Armstrong,	Johnson of P.
Bassett,	Jordan,
Beckes,	Julian,
Bullock,	Lane,
Burnett,	Lucas,
Bush,	Marshall,
Casey,	Mauk,
Childs,	M'Cleery,
Daniel,	Palmer,
Dixon,	Pennington,
Dumont,	Robb,
Everts,	Rout,
Green,	Scott,
Hill,	Smith,
Howk,	Stapp,
Jackson,	Wright of R. and
James,	Mr. Speaker—34.

Ordered, That said bill be read a second time to-morrow.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate have passed a joint resolution, relative to the Illinois Grant, in Clark county.

In which they request the concurrence of this House. And he withdrew.

And the said resolution was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the engrossed bill from this House, incorporating a State Law Library Company, without amendment.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the engrossed bill from this House, entitled an act, attaching part of the county of Jackson, to the county of Lawrence, without amendment.

And he withdrew.

Mr. Pennington presented the remonstrance of Benjamin Hurst and others, against the petition of Aydelott and others, praying that Leavenworth may be made a point on the state road, contemplated from New Albany to Princetown, in Gibson county.

Which remonstrance was read and referred to the same select committee, to whom the said petition was referred.

Mr. Green, from the select committee on that subject, reported a bill, attaching part of the county of Perry, to the county of Crawford.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Hill presented the petition of Isaac Coe and others, holders of improvements on the donation around Indianapolis, praying the privilege of occupying the same four years longer.

Which was read and referred to a select committee, of Messrs. Hill, Beckes, Scott, Julian and Molder.

Mr. Jordan, from the select committee, to whom was referred the petition of John Spahr, praying an act to dissolve the bans of matrimony, between him and his wife, reported a bill for that purpose.

Which was read the first time and rejected.

The House proceeded to consider the orders of the day, and the amendments made by the Senate to the

bill from this House, to establish a state road from Aurora, in the county of Dearborn, to Napoleon, in the county of Ripley, were taken up, and

On motion,

The said amendments were concurred in generally.

And on that question, the yeas and nays being demanded by Messrs. Beckes and Burnett, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Bently,
Bush,
Clark,
De Pauw,
Everts,
Hill,
Howk,
Hunt,
Jackson,

James,
Johnson of P.
Marshall,
M'Cleery,
Pennington,
Rout,
Scott,
Scoville,
Stapp and
Mr. Speaker—21.

And those who voted in the negative were,

Messrs. Beckes,
Bullock,
Burnett,
Casey,
Childs,
Clendenin,
Daniel,
Dixon,
Green,
Jordan,

Julian,
Lane,
Lucas,
Mauk,
Palmer,
Robb,
Smith,
Wright of R. and
Wright of W.—19.

Ordered, That the Senate be informed thereof.

The bill, supplemental to the act, regulating the duties of sheriffs.

The bill to divorce Charles Sefret, and Hetty his wife.

The bill attaching part of the county of Gibson to the county of Posey.

And the bill to incorporate the Aurora seminary; were each read the second time and ordered to be engrossed for a third reading to-morrow.

The engrossed bill from the Senate, entitled an act, giving further privileges to the freemen of the town of Lawrenceburgh; was read the second time and ordered to be read a third time to-morrow.

The bill to incorporate a school society in the town of Vernon, in the county of Jennings; was read a third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The bill for the relief of Thomas H. Clark, collector of the revenue of the county of Vigo; was read the third time and rejected.

And on the question, shall this bill pass? the yeas and nays being demanded by Messrs. Beckes and Lucas—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Bassett,	Jackson,
Bently,	Lucas and
Dumont,	Scott—6.

And those who voted in the negative were,

Messrs. Armstrong,	Jordon,
Beckes,	Julian,
Bullock,	Lane,
Burnett,	Marshall,
Bush,	Mauk,
Casey,	M ^c Cleery,
Childs,	Molder,
Clark,	Palmer,
Clendenin,	Pennington,
Daniel,	Robb,
Dixon,	Rout,
Everts,	Scoville,
Green,	Smith,
Hill,	Stapp,
Howk,	Wright of W.
Hunt,	Wright of R. and
James,	Mr. Speaker—35.
Johnson, of P.	

The engrossed bill to limit the stay on executions to sixty days, on all contracts entered into, after the fifteenth day of June next; was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Howk and Everts—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Burnett,	Marshall,
Bush,	Mauk,
Casey,	M'Cleery,
Childs.	Molder,
Clark,	Palmer,
Clendenin,	Pennington,
De Pauw,	Rout,
Dixon,	Scott,
Dumont.	Scoville,
Everts,	Smith,
Green,	Stapp,
Hill,	Wright of W.
Hunt,	Wright of R. and
Johnson of P.	Mr. Speaker—29.
Julian,	

And those who voted in the negative were.

Messrs. Armstrong,	Jackson,
Bassett,	James,
Beckes,	Jordan,
Bently,	Lane,
Bullock,	Lucas and
Daniel,	Robb—13.
Howk,	

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill to amend the act for the better regulation of the militia, was read the third time, and

On motion by Mr. Beckes,

The further consideration of said bill was indefinitely postponed.

The bill to amend the act regulating the granting of

letters testamentary and letters of administration, for the settlement of testate and intestate estates; was read the third time and passed.

Ordered, That said bill be entitled an act, that the Senate be informed thereof and their concurrence therein requested.

The bill, supplemental to an act, for the incorporation of a county library in the county of Dubois, and other counties therein named; was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

Mr. Johnson of P. obtained leave of absence until the end of the present session on account of sickness in his family.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill from the Senate entitled an act, providing for the election of electors to vote for a President and Vice President of the United States; and the bill which originated in this House, on the same subject; were taken up, and

On motion,

The same were postponed until the first Monday in December next.

And on the question of postponement, the yeas and nays being demanded by Messrs. Stapp and Lucas—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Beckes,

Julian,
Lane,
Lucas,

Bush,
Childs,
Clark,
Clendenin,
De Pauw,
Dixon,
Dumont,
Everts,
Green,
Hill,
Howk,
Jackson,
James,
Jordan,

Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,
Pennington,
Robb,
Rout,
Scott,
Scoville
Smith,
Wright of R. and
Wright of W.—33.

And those who voted in the negative were,

Messrs. Bently,
Bullock,
Burnett,
Casey,

Hunt,
Stapp and
Mr. Speaker.—7.

The House, according to order, now resolved itself into a committee of the whole, on the bill to subject equitable interest to execution;

Mr. Beckes in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Beckes reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made several amendments to the same, in which they had directed him to ask the concurrence of the House.

On motion by Mr. Pennington,

The further consideration of said bill was indefinitely postponed.

And on that question, the yeas and nays being demanded by Messrs. Lucas and De Pauw—the votes were as follows:

Those who voted in the affirmative were.

Messrs. Armstrong,
 Bently,
 Bullock,
 Childs,
 Daniel,
 De Pauw,
 Dumont,
 Hill,
 Hunt,
 Jackson,
 James,

Julian,
 Marshall,
 Mauk,
 Mölder.
 Pennington,
 Robb,
 Rout,
 Scoville,
 Stapp and
 Wright of R—21.

And those who voted in the negative were,

Messrs. Bassett,
 Beckes,
 Burnett,
 Bush,
 Clark,
 Clendenin,
 Dixon,
 Everts,
 Green,

Howk,
 Jordan,
 Lucas,
 M'Cleery,
 Palmer,
 Scott,
 Smith,
 Wright of W. and
 Mr. Speaker—18.

The engrossed bill to repeal the act providing for the public printing, was read the third time, and rejected.

The committee of the whole, to whom was referred the engrossed bill from the Senate, entitled an act, locating a state road from Lawrenceburgh through Rising Sun and Vevay to Madison, were discharged from the further consideration thereof.

And the said bill was ordered to be read a third time to-morrow.

On motion,

The committee of the whole to whom was referred, the joint resolution for the benefit of the public printer, was discharged from the further consideration thereof.

And the same was ordered to be engrossed for a third reading to-morrow.

The House, according to order, now resolved itself

into a committee of the whole, on the bill to amend the act, to exempt certain property from execution;

Mr. James in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. James reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same, by striking it out from the enacting clause; in which amendment he asked the concurrence of the House.

On motion,

The further consideration of said bill was indefinitely postponed.

The House now resolved itself into a committee of the whole, on the bill relative to the duties of sheriffs and other officers;

Mr. Dumont in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dumont reported, that the committee of the whole had, according to order, had the said bill under consideration and had made one amendment thereto, in which he asked the concurrence of the House.

And on the question, will the House concur in said amendment? it was decided in the negative.

On motion,

The further consideration of said bill was postponed until Monday next.

A message was received from the Senate, by Mr. Farnham, announcing that the Senate had concurred in the amendments made by this House, to the amendments made by the Senate, to the bill from this House, establishing a state road from Aurora, in the county of Dearborn, to Napoleon in the county of Ripley; and also, in the amendments made by this House, to the amendments made by the Senate, to the bill from this House, for altering state roads, except the second amendment, which reduces the compensation to com-

missioners on state roads, from "two dollars," to "one dollar and fifty cents;" in which amendment the Senate have refused to concur.

And he withdrew. And

On motion,

Resolved, That this House will insist on said amendment.

Ordered, That the Senate be informed thereof.

On motion,

The further consideration of the bill, declaring the length of time that judgments shall operate as a lien on real estate, was indefinitely postponed.

The House, now resolved itself into a committee of the whole, on the bill from the Senate, entitled an act, providing for the election of certain officers therein named;

Mr. Burnett in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burnett reported, that the committee of the whole had, according to order, had said bill under consideration, and had directed him to report the same without amendment.

Ordered, That said bill be read the third time tomorrow.

Mr. Scott, from the joint committee for enrolled bills, reported that the said committee, did on this day, present to his excellency the Governor, for his approbation and signature, the enrolled bills, of the following titles, viz:

An act authorizing John Conner, to erect a mill dam across White river, at the Horse Shoe Bend.

An act, amendatory to an act, entitled an act, to amend an act, entitled an act, to licence and regulate taverns.

An act to authorize the agent of the county of Fayette, to sell certain public ground, in the town of Connersville, in said county of Fayette.

And also, a joint resolution respecting printing.

And the House adjourned until to-morrow at 3 o'clock, P. M.

FRIDAY, DECEMBER 27, 1822.

House met pursuant to adjournment.

The Speaker laid before the House, a memorial of James Prentice and others, of Martin county, requesting an investigation into the official conduct of Lucius R. Rogers, clerk of the circuit court of said county.

Which was read and referred to the select committee, to whom was referred the communication of Jacob Arganbright, praying an enquiry into the official conduct of John Tresenriter, a justice of the peace of Harrison county.

On motion,

Mr. Smith was added to said committee.

Mr. Burnett presented the petition of William Scoonover and others, of Harrison county, praying that a part of said county may be attached to the county of Floyd.

Which was read and referred to a select committee of Messrs. Burnett, Howk, Pennington, Green and Bullock.

Mr. Smith from the select committee to whom was referred the memorial of the county commissioners of the county of Marion, reported a bill providing for a sale of lots at Indianapolis.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Smith, having obtained leave, introduced a bill, to amend the act, for the formation of a new county, out of the county of Delaware.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Robb presented the petition of William W. Wick and others, praying an act, appointing commissioners, to examine the obstructions in the West Fork of White river.

Which was read and referred to the select committee, to whom was referred so much of the Governor's message, as relates to the navigation of the rivers Wabash and White river.

Mr. Daniel, from the select committee, to whom was referred the petition of Jesse Upton and others, praying an act, authorizing said Upton, to erect a mill dam across Anderson's river, reported a bill for that purpose.

Which was read the first time, and ordered to be read a second time to-morrow.

The bill authorizing Polly Mosely, administratrix of Enos Mosely, deceased, to sell certain real estate; was read the second time and ordered to be engrossed and read a third time to morrow.

The bill to re-locate a part of the state road from Rising Sun, in Dearborn county, to Versailles, in Ripley county; and the bill attaching part of the county of Perry, to the county of Crawford; was each read the second time and ordered to be engrossed for a third reading to-morrow.

The engrossed bill from the Senate, entitled an act, providing for the revision and compilation of the statute laws of this state; was read the second time and ordered to be read the third time to-morrow.

The joint resolution from the Senate, relative to the Illinois Grant, in Clark county; was read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The engrossed joint resolution for the benefit of the public printers; was read a third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill, to amend the act, regulating the duties of sheriffs and coroners; was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill from the Senate, entitled an act, for locating a state road from Lawrenceburgh, through Rising Sun and Vevay, to Madison; was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, entitled an act, giving further privileges to the freemen of the town of Lawrenceburgh; and the engrossed bill, entitled an act, for the election of certain officers therein named; were each read the third time and passed.

Ordered, That the Senate be informed thereof.

And the House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 28, 1822.

House met pursuant to adjournment.

Mr. Bullock, from the select committee, to whom was referred the petition of Claudius George Brown, praying certain relief, reported a bill giving the relief prayed for.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Green, from the select committee, to whom was referred the petition of sundry citizens of Crawford county, on that subject, reported a bill, relative to salt petre caves.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Everts, from the select committee on that subject, reported a bill, to locate a state road from the Ohio state line west of Oxford, to Connersville; which was read the first time and ordered to be read a second time on Monday next.

Mr. Stapp from the committee of ways and means, reported a bill, authorizing the re-issue of Treasury Notes; which was read the first and second times, and committed to a committee of the whole for Monday next.

On motion by Mr. Stapp,

Resolved, That the resolution heretofore adopted relative to the adjournment of this House, and the introduction of new business be rescinded.

On motion by Mr. Beckes,

Resolved, That 500 copies of the report of the committee of ways and means, made to the present session, on the subject of our financial concerns, be printed for the use of the members of this Legislature.

Mr. Pennington presented the petition of sundry citizens of the counties of Vigo and Parke, praying for a new county out of said counties, which was read and referred to a select committee of Messrs. Pennington, Beckes, Lane, Dixon and Scott.

Mr. Everts presented the petition of sundry citizens of Rush county, praying an alteration in the state road from Brookville to Indianapolis; which was read and referred to a select committee of Messrs. Everts, Howk and Bush.

Mr. Bassett having obtained leave, introduced a bill, to amend the act, regulating the fees of the several officers and persons therein named—approved, January 21st, 1818.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Everts, from the select committee, to whom was referred the communication of William Youse,

late collector of the revenue of Union county, reported a bill, for the relief of said William Youse.

Which was read the first time, and ordered to be read a second time on Monday next.

Mr. Burnett, from the select committee, to whom was referred the petition of William Scoonover and others, of Harrison county, reported a bill, attaching part of the county of Harrison, to the county of Floyd.

Which was read the first time, and ordered to be read a second time on Monday next.

A message was received from the Governor, by John W. Payne, Esq. his private secretary, announcing, that he did, on the 26th inst. approve and sign the following acts, viz:

An act authorizing John Conner to erect a mill dam across White river, at the Horse Shoe Bend.

An act, amendatory to an act, to amend an act, entitled an act, to licence and regulate taverns.

“An act, to authorize the agent of the county of Fayette, to sell certain public ground, in the town of Connorsville, in said county of Fayette.

Also, a joint resolution, respecting public printing.

And he withdrew.

Mr. Julian, having obtained leave, introduced a bill, regulating costs and fee bills.

Which was read the first time and rejected.

A message was received from the Senate, by Mr. Chambers, announcing that the Senate had passed an engrossed bill, entitled an act for the relief of Joel Charles; in which they request the concurrence of this House.

Which bill, was taken up and read the first time, and ordered to be read a second time on Monday next.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an engrossed bill, for the formation of a new county, out of the county of Marion, and north of Marion.

In which they desire the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read a second time on Monday next.

The bill providing for a sale of lots at Indianapolis, was read a second time, and ordered to be engrossed and read a third time on Monday next.

The bill, to amend the act, for the formation of a new county, out of the county of Delaware—approved, December 31, 1821, was read the second time, and ordered to be read a third time on Monday next.

The bill to authorize Jesse Upton, to build a mill dam across Anderson's river, was read the second time, and ordered to be engrossed for a third reading on Monday next.

The engrossed bill, supplemental to an act, to amend the act, entitled an act, regulating the duties and jurisdiction of justices of the peace—approved, January 28, 1818, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill, dissolving the bans of matrimony between Charles Sefret, and Hetty his wife, was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Hill and Everts, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Jackson,
Bently,	Lucas,
Burnett,	Marshall,
Casey,	Mauk,
Childs,	M'Cleery,
Clendenin,	Molder,
Daniel,	Pennington,
De Pauw,	Robb,
Dixon,	Rout,

Dumont,
Green,
Hunt,

Scott,
Scoville,
Smith and
Mr. Speaker—25.

And those who voted in the negative were,

Messrs. Armstrong,
Beckes,
Bullock,
Bush,
Clark,
Everts,
Glover,
Hill,
Hawk,

James,
Jordan,
Julian,
Lane,
Palmer,
Stapp,
Wright of R. and
Wright of W—17.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The engrossed bill to re-locate a part of the state road from Rising Sun to Versailles, was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Bently and Beckes, the votes were as follows—yeas 21, nays 19.

Those who voted in the affirmative were,

Messrs. Bassett,
Bullock,
Burnett,
Bush,
Childs,
De Pauw,
Everts,
Hill,
Hawk,
Hunt,
Jackson,

James,
Lane,
Marshall,
Pennington,
Scott,
Scoville,
Smith,
Stapp,
Wright of R. and
Mr. Speaker.

And those who voted in the negative were.

Messrs. Armstrong,
Beckes,
Bently,

Jordan,
Julian,
Lucas,

Casey,
Clark,
Clendenin,
Dixon,
Dumont,
Glover,
Green,

Mauk,
M'Cleery,
Molder,
Robb,
Rout and
Wright of W.

Ordered, That said bill be entitled an act, that the Senate be informed thereof and their concurrence therein requested.

The engrossed bill from the Senate, entitled an act, providing for the revision of the statute laws of this state; was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Lucas and Wright of W.—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Beckes,
Burnett,
Bush,
Casey,
Dumont,
Everts,
Green,
Howk,
Jackson,
James,

Lane,
Lucas,
Marshall,
Mauk,
M'Cleery,
Pennington,
Robb,
Scott,
Smith,
Stapp and
Mr. Speaker—23.

And those who voted in the negative were,

Messrs. Bently,
Bullock,
Childs,
Clark,
Clendenin,
De Pauw,
Dixon,
Glover

Hill,
Hunt,
Jordan,
Julian,
Molder,
Scoville,
Wright of R. and
Wright of W—16.

Ordered, That the Senate be informed thereof,

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

Mr. Howk, from the committee for enrolled bills, reported that said committee had examined—

The joint resolution, to authorize the auditor of state, to audit the allowance of the sheriff of Fayette county, for a part of the state revenue, for the year 1819.

An act, legalizing the proceedings of the board of county commissioners of the county of Knox.

An act, for the formation of a new county, out of Delaware.

An act, giving to the citizens of Indianapolis, a public burying ground.

An act, for the relief of Reuben H. Murray and Robert Gray.

An act, attaching part of the county of Jackson, to the county of Lawrence.

And an act, providing for the election of a president and trustees of the Monroe county library; and had found the same same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the said bills be carried to the Senate, for the signature of the President.

The Speaker laid before the House a communication from A. Smith, on the subject of the petition of Ruth Scoby, praying for a divorce.

Which was read and laid on the table.

Mr. De Pauw, from the select committee, to whom was referred the petition of Ruth Scoby, praying an act, to divorce her from her husband, reported a bill for that purpose.

Which was read. And

On motion by Mr. Pennington,

The said bill was rejected.

On motion by Mr. Beckes,

The committee of the whole, to whom was referred, the bill to suspend the operation of the act, entitled an act, laying off certain state roads, in this state, and appropriating \$100,000, of the fund, commonly called the three per cent. fund, for opening said roads—approved, December 31, 1821, were discharged from the further consideration thereof. And

On motion by Mr. Hunt,

The said bill was indefinitely postponed.

And on that question, the yeas and nays being demanded by Messrs. De Pauw and Lucas—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bently,
Casey,
Childs,
Clark,
Clendenin,
Daniel,
Dixon,
Dumont,
Everts,
Glover,
Green,
Hill,
Jackson,
James,

Jordan,
Julian,
Lane,
Lucas,
Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,
Robb,
Scoville
Smith,
Wright of R. and
Wright of W.—29.

And those who voted in the negative were,

Messrs. Bassett,
Beckez,
Burnett,
Bush,
De Pauw,
Howk,

Hunt,
Pennington,
Rout,
Scott,
Stapp and
Mr. Speaker—12.

On motion by Mr. James,

The committee of the whole, to whom was referred

the bill, providing for the election of township officers, and abolishing the office of county commissioners; were discharged from the further consideration thereof.

And

On motion by Mr. Robb,

The further consideration of said bill, was indefinitely postponed.

And on that question, the yeas and nays being demanded by Messrs. Bassett and Lucas—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,	Jordan,
Beckes,	Julian,
Bently,	Lane,
Burnett,	Lucas,
Casey,	Marshall,
Childs,	Mauk,
Clark,	Molder,
Clendenin,	Robb,
Daniel,	Rout,
Dixon,	Scott,
Glover,	Smith,
Green,	Wright of W.
Hill,	Wright of R. and
Hawk,	Mr. Speaker—29.

And those who voted in the negative were,

Messrs. Bassett,	James,
Bush.	M'Cleery,
De Pauw,	Palmer,
Dumont,	Pennington,
Everts,	Scoville and
Hunt,	Stapp—13.
Jackson,	

On motion by Mr. Hunt,

The committee of the whole, to whom was referred the bill to authorize the trustee of the public seminary, of the county of Jefferson, to pay over the seminary funds in his hands, to the trustees of the Madison

academy; were discharged from the further consideration thereof. And

On motion by Mr. Dumont,

The said bill was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill to change the mode of appointing county treasurer;

Mr. Wright of R. in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Wright reported, that the committee of the whole had, according to order, had said bill under consideration, and had amended the same by striking out the first section thereof; in which amendment he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

On motion by Mr. Howk,

The further consideration of said bill was indefinitely postponed.

On motion,

The committee of the whole, to whom was referred, the bill to authorize the administrators of Simpson Charlton, deceased, to re-assign a certain certificate for a quarter section of land to the former claimant thereof; were discharged from the further consideration of the same.

And the said bill was,

Thereupon,

Read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The committee of the whole, to whom was referred the bill for the relief of Harris Tyner, late collector of the revenue of Marion county; was discharged from the further consideration of said bill.

And the same was ordered to be read the third time on Monday next.

The committee of the whole, to whom was referred, the bill providing for the appointment of circuit prosecutors, was discharged from the further consideration thereof. And

On motion by *Mr. Howk*,

The said bill was indefinitely postponed.

And on that question, the yeas and nays being demanded by Messrs. Smith and Lucas—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Armstrong,

Bassett,

Beckes,

Bullock,

Bush,

Casey,

Clendenin,

Daniel,

De Pauw,

Dixon,

Dumont,

Everts,

Hill,

Howk,

Hunt,

Jackson,

James,

Jordan,

Julian,

Lane,

Marshall,

M'Cleery,

Molder,

Rout,

Scott,

Stapp,

Wright of W. and

Mr. Speaker—28.

And those who voted in the negative were,

Messrs. Bently,

Burnett,

Childs,

Clark,

Glover,

Lucas,

Palmer,

Scoville,

Pennington and

Wright of R—10.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the following resolution:

Resolved, That a committee of free conference be appointed on the part of the Senate, to act with a committee to be appointed on the part of the House of Representatives, on the difference existing between

the two Houses, relative to the amendment made by the House of Representatives, to the amendment made by the Senate, to the bill to provide for altering state roads, and for other purposes, and that the House of Representatives be informed thereof, and a similar resolution requested on their part, and that Messrs. Graham and Chambers are appointed that committee on the part of the Senate.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed a joint resolution from this House, for the benefit of the public printers, without amendment.

And he withdrew.

A message was received from the Senate, by Mr. Sholtz, announcing that the Senate had passed the engrossed bill from this House, entitled an act, dissolving the bans of matrimony between Charles Sefret, and Hetty his wife, with an amendment; in which they request the concurrence of this House.

And he withdrew.

And the said amendment was considered and concurred in.

Ordered, That the Senate be informed thereof.

Mr. Bullock, from the select committee, to whom was referred the communication of Jacob Arganbright, praying an enquiry into the official conduct of John Tresenriter, a justice of the peace for Harrison county, reported the following articles of impeachment against said justice, viz:

The House of Representatives of the state of Indiana, on behalf of said state, exhibit to the Senate of said state, against John Tresenriter, one of the justices assigned and commissioned of the peace, in and for the township of Franklin, in the county of Harrison, and state aforesaid, the following articles of impeachment, to wit:

ARTICLE 1st. That said John Tresenriter, justice of the peace for Franklin township, Harrison

county, and state aforesaid, and residing in said township, and officiating in the duties of his office, has been, and is guilty of mal-administration and corruption in his said office of the peace in this.

SPECIFICATION 1st. That the said John Tresenriter, being then justice as aforesaid, and within his township aforesaid, on the day of in the year one thousand eight hundred and twenty one, acting in his capacity of justice as aforesaid, did wilfully, corruptly, against right and to the perversion of justice, in a certain suit, instituted before him, in which one Nathan Taylor was plaintiff, and James Sellers was defendant; did after a rendition of judgment by default in said suit, against said plaintiff for want of appearance thereto, refuse upon application of said Taylor, either to set aside said judgment and grant a new trial to him, or to grant him an appeal from said judgment; although said application was made within due time, and said Taylor was ready and willing to perform all the requisites required by law; the said justice alledging that said Taylor had no right to either of said remedies.

SPECIFICATION 2d. That the said John Tresenriter, justice as aforesaid, on the day of one thousand eight hundred and twenty one, within the township aforesaid, acting in his said official capacity, did wilfully, corruptly, against right, and to the perversion of justice, in a certain suit instituted before him, in which James Sellers was plaintiff, and Daniel Welker was defendant, for the purpose of making said Welker liable to pay the amount of execution for costs issued by said justice in favor of the said Sellers; and in which no defendant was named, give judgment for the amount of said execution against said Welker, for failing as constable to execute and return the same.

SPECIFICATION 3d. That the said John Tresenriter, justice as aforesaid, on the twentieth day of August, in the year one thousand eight hundred and twenty

ty two, acting in his said official capacity, within said township, wilfully, corruptly, against right and to the perversion of justice, advised and procured Ephraim Potter, he asking advice concerning the same matter, to make complaint on oath, to have a prosecution in the name of the state, instituted before him, the said justice, against one Daniel Stroud, for fraud in the sale of a horse by said Stroud to said Potter; to the damage of said Potter, wherein said Stroud was arrested and imprisoned; and although said matter of complaint was compromised between said Potter & said Stroud, & a discontinuance of said proceeding requested by them; yet the said justice wilfully, corruptly, without jurisdiction and to the perversion of law and justice, ordered a jury to be summoned, and proceed to trial on said complaint.

SPECIFICATION 4th. That the said John Tresenri-ter, justice as aforesaid, on the day of November, in the year eighteen hundred and twenty two, within said township, acting in his said official capacity, on a prosecution instituted on behalf of the state of Indiana, against Daniel Cline, for assault and battery, did wilfully, corruptly, in violation of law and justice, refuse a continuance to said Cline of said proceeding, or to issue process for a witness, material to his defence of the said Cline; but forced the said Cline to trial immediately; whereby the said Cline was illegally and unjustly convicted and fined.

SPECIFICATION 5th. That the said John Tresenri-ter, justice as aforesaid, on the day of December, in the year eighteen hundred and twenty two, within said township, acting in his said official capacity, in a certain suit before him, in a claim of right of property, wherein one Philip Shrake was claimant, against Solomon Herbaugh, execution creditor, against George Shrake, execution debtor, wilfully, corruptly, wrongfully, against law and to the perversion of justice, and for the purpose of extortion, refused to grant to the said claimant, process to procure testimony

to support his claim; and after trial and verdict against said claimant, refused to grant him an appeal from said decision, upon his demand, within the time limited by law, and tender and offer to pay all the costs required by law to be paid, and to give bond as the law directs, unless the costs of the judgment and other proceedings in favor of said Herbaugh, against said George Shrake were also paid; and thereupon, ordered the constable to proceed to the sale of the property so claimed as aforesaid.

SPECIFICATION 6th. The said John Tresenriter, justice as aforesaid, on the day of November, eighteen hundred and twenty one, within the township aforesaid, acting in his said official capacity, wilfully, corruptly, against law and right by fee bill delivered for collection to Daniel Welker, constable, against Jacob Arganbright, dated June fourth, eighteen hundred and twenty one, and purporting to be for fees, (subscribed by said Tresenriter, justice as aforesaid,) which had accrued in a prosecution against said Arganbright, on behalf of the state of Indiana; upon the complaint of Sally Barnaby, did extort by colour of his said office, sundry charges of fees, of said Arganbright, not allowed by law, to wit:

“Investigation of information, 50 cents; docketing affidavit, $12\frac{1}{2}$ cents; swearing jury, 75 cents; transcript, $37\frac{1}{2}$ cents; cost bill, $12\frac{1}{2}$ cents.”

SPECIFICATION 7th. The said John Tresenriter, justice as aforesaid, on the first day of November, eighteen hundred and twenty two, within the township aforesaid, acting in his said official capacity, wilfully, corruptly and wrongfully, against law and right, by a fee bill, in two cases in favor of Wycome Hale, against Frederick Arganbright, and in one case in favor of George K. Cline, against one Jacob Arganbright, (the name of the said Tresenriter, justice as aforesaid, being thereto subscribed,) did extort by colour of his said office, sundry charges of fees not al-

lowed by law, of the said Frederick Arganbright, to wit:

••Issuing fifteen executions at 25 cents each; making cost bills, 62½ cents; and of the said Jacob Arganbright, to wit: three executions at 25 cents each.

All which actions and doings of the said John Tresenriter, justice as aforesaid, the House of Representatives aver are corrupt, wrongful, against right and justice, in violation of the trust and duties of his said office, and against the peace and dignity of the state of Indiana.

On motion,

The House concurred in said articles.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, DECEMBER 30, 1822.

House met pursuant to adjournment.

On motion by Mr. Bullock,

Resolved, By the House of Representatives, that the Senate be informed, that this House have preferred articles of impeachment against John Tresenriter, a justice of the peace, for Harrison county, for malfeasance and corruption in his office, as such justice, and that the Senate be requested to appoint a time, when they will form a court of impeachment for the trial of said John Tresenriter; that Messrs. Howk, Smith and Dumont be appointed managers of said impeachment, on the part of this House.

Mr. Bullock, from the select committee, to whom was referred the memorial of James Prentiss and others, reported the following articles of impeachment against Lewis R. Rogers, clerk of the Martin circuit court, to wit:

Articles of impeachment, exhibited by the House

of Representatives, in the name of themselves and the people of the state of Indiana, against Lewis R. Rogers, clerk of the circuit court, in and for the county of Martin, and the state aforesaid.

ARTICLE 1st. That the said Lewis R. Rogers, then and there, being an acting clerk of the circuit court, in and for the county of Martin, and state aforesaid, being duly elected, commissioned and qualified as such clerk, in and for the county aforesaid, and state aforesaid, he, the said Lewis R. Rogers, living and residing therein, is and has been guilty of mal-administration and corruption in his said office, as clerk aforesaid, to wit: in the county aforesaid.

SPECIFICATION 1st. That the said Lewis R. Rogers, on the fifteenth day of January, eighteen hundred and twenty one, at the county of Martin, in said state of Indiana, while acting as such clerk, and under colour of his said office, wilfully and corruptly and in violation of law and of his duty, as clerk aforesaid; did grant letters of administration, to Elizabeth Shelmire, of the goods and chattels of Jesse Shelmire, deceased, (he the said Shelmire, having died intestate,) without taking a sufficient bond, with good and responsible securities for the faithful performance of her, the said Elizabeth, in and about the administering of the goods and chattels aforesaid; and it was at that time well known to the said Lewis R. Rogers, that the personal estate of the said Jesse Shelmire, amounted in value to twelve thousand dollars, and that the obligors to said bond as securities, to wit: Lewis R. Rogers, the above named clerk, and John Eastburn, the former of whom, was at that time, insufficient security for a greater sum than three hundred dollars, and the latter, then living in the county of Floyd, and reputed to be insolvent; by reason of which insufficiency, several infant heirs and creditors, are without remedy or relief for their respective claims.

SPECIFICATION 2d. That the said Lewis R. Rogers, on the tenth day of January, one thousand eight hundred and twenty one, at the said county of Martin, and state aforesaid, while acting as such clerk, and under colour of his said office, did wilfully and corruptly and in violation of law and his duty, as clerk aforesaid, grant letters of administration, to Charles Savage, Charles R. Brown and Sarah M. Prentiss, on the goods and chattels of John M. Prentiss, deceased (he having died intestate,) without taking a bond, in a sufficient penalty, and for not requiring and taking good and sufficient securities, for the faithful performance of the above named administrators, in and about the administering the goods and chattels of the said John M. Prentiss, as aforesaid; it being well known to the said Lewis R. Rogers, that the goods and chattels of the said John M. Prentiss, so to be administered, amounted in value, to twenty thousand dollars; yet the said Lewis R. Rogers, as clerk as aforesaid, did take a bond from the administrators aforesaid, with no greater penalty than twelve thousand dollars, and subscribed as security by Frederick Sholtz, who was then reputed and well known to the said Lewis R. Rogers, not to be sufficient security for a greater sum than six thousand dollars, and by Josiah Doane, who was then and still is reputed insolvent; by reason of which insufficiency of securities of the faithful administering of the goods and chattels aforesaid, numerous heirs and creditors are without remedy for the recovery of their respective claims upon the goods and chattels of said John M. Prentiss.

SPECIFICATION 3rd. That the said Lewis R. Rogers, on the twenty second day of February, one thousand eight hundred and twenty one, in the county of Martin, and state aforesaid, while acting as such clerk, and under colour of his said office, did wilfully, corruptly, and in violation of law and his duty as clerk as aforesaid, refuse to James Prentiss, letters of ad-

ministration, on the goods and chattels of Thomas G. Prentiss, deceased, (he having died intestate,) and the said James Prentiss being nearest of kin, and by law entitled thereto; unless the said James Prentiss would enter into a bond with a penalty of thirty thousand dollars, for the faithful performance of the administering of the goods and chattels aforesaid; and further required that said bond should be signed by persons actually worth and able to pay thirty thousand dollars, if required. And he the said Lewis R. Rogers well knew at that time, that the goods and chattels, owned and left by the said Thomas G. Prentiss at the time of his death, did not exceed in value, one thousand dollars, which requirement of excessive security, was made with a design to prevent the said James Prentiss from administering on the goods and chattels aforesaid, as by law he had a right to do. And the said Lewis R. Rogers afterwards issued letters of administration on the goods and chattels aforesaid, to Ezekiel Porter and Charles R. Brown, and received a bond of thirty thousand dollars, as good and sufficient for the faithful administering as aforesaid, subscribed as securities by Frederick Sholtz, who was then reputed not to be sufficient security for a greater sum than six thousand dollars, and of George Mitchetree, who was then reputed not to be worth more than two thousand five hundred dollars; and the said James Prentiss before and at the time of the issuing of the letters of administration, remonstrated to the said Lewis R. Rogers, against the issuing of said letters to any person but himself, and he was ready to give, and did offer any security for his faithful performance, which might be reasonable or just; and the said James Prentiss informed the said Lewis R. Rogers of his right to the same, and exhibited to him the law in this behalf.

SPECIFICATION 4th. That the said Lewis R. Rogers, on the tenth day of May, one thousand eight hun-

dred and twenty two, at the county of Martin, in said state of Indiana, while acting as clerk of the circuit court, in and for the county of Martin, did at the May term of the probate court, held in and for said county, wilfully and corruptly, refuse to take charge of, and place on the files of said court, certain papers relating to the administration and settlement of the estate of Nathaniel Bond, deceased, to wit: the account of Daniel Hughes and John Meriam, administrators of said estate, after being required and commanded by said court of probate so to do.

SPECIFICATION 5th. That the said Lewis R. Rogers, on the fifth day of October, one thousand eight hundred and twenty two, at the county of Martin, in said state of Indiana, while acting as clerk of said county, and under colour of his said office, did wilfully, corruptly, and in violation of law and his duty as such clerk extort from one Thomas Evans, twenty five cents, as fee for examining the order book of the circuit court of the county of Martin, on an application of said Thomas Evans for claims due him the said Evans as a juror.

ARTICLE 2nd. That the said Lewis R. Rogers, clerk of the circuit court, in and for the county of Martin, and state of Indiana, then and there being an acting clerk, in and for the county of Martin, and state aforesaid, being duly elected, commissioned and qualified as such clerk, for the county and state aforesaid, and living and resident therein, is, and has been guilty of notorious inattention and neglect of duty in his said office as such clerk, to wit: at the county of Martin, and state aforesaid.

SPECIFICATION 1st. That the said Lewis R. Rogers, on the tenth day of November, eighteen hundred and twenty one, in the county of Martin and state aforesaid, while acting as clerk of the circuit court, in and for the county of Martin, did wilfully, and in violation of his duty as such clerk, neglect to make a complete and

perfect record of a judgment and proceedings, in a suit wherein James Prentiss was plaintiff, and Ezekiel Porter and Charles R. Brown, administrators of Thomas G. Prentiss, deceased, were defendants, determined at the May term of the circuit court of the county of Martin, eighteen hundred and twenty one, from which said judgment, the said James Prentiss appealed to the supreme court of said state; by reason of which, the said James Prentiss was greatly damaged in trouble and expense, accruing from the imperfections and defects of said record, transmitted by said Lewis R. Rogers to said supreme court. And afterwards, to wit: on the tenth day of May, eighteen hundred and twenty two, the said Lewis R. Rogers, in violation of his duty as clerk aforesaid, did wilfully neglect a second time, to make a record complete and perfect, of the aforesaid judgment and the proceedings had thereon, whereby the said Prentiss suffered further damage and expense in the supreme court, in attempting to prosecute his said suit upon the imperfect record of said judgment.

SPECIFICATION 2. That the said Lewis R. Rogers, at sundry times in the years eighteen hundred and twenty one and eighteen hundred and twenty two, at the county of Martin, in the state of Indiana, did wilfully and in violation of law and of his duty as clerk, he the said Lewis R. Rogers, then and there, being acting clerk, in and for said county, absent himself from the clerk's office, of said county of Martin, a large portion of time, when by the laws of this state, he is required to be present; to the great inconvenience and injury of persons having business to transact at said office.

All of which is in violation of his the said Lewis R. Rogers' duty as clerk aforesaid, and in contempt of the constitution and the laws, and against the peace and dignity of the said state of Indiana.

Which were read and concurred in by the House.

On motion by Mr. Dumont,

Resolved, By the House of Representatives, that the Senate be informed, that this House have preferred articles of impeachment against Lewis R. Rogers, clerk of the circuit court for Martin county, for malfeasance and corruption in office, as such clerk; and that the Senate be requested to appoint a time when they will form a court of impeachment, for the trial of said Lewis R. Rogers; that Messrs. Bullock, Smith and Hawk, be appointed managers of said impeachment on the part of this House.

A message was received from the Senate by Mr. Dill, their secretary, announcing that the Senate had concurred in the amendment made in this House, to the bill entitled an act, appointing commissioners to lay out a state road from Lawrenceburgh, through Rising Sun and Vevay to Madison.

On motion by Mr. Stapp,

Resolved, That a committee of free conference, be appointed on the part of this House, to act in conjunction with a similar committee, appointed on the part of the Senate, on the subject matter of disagreement of the Senate, to the amendment made by this House to the amendments made by the Senate, to the engrossed bill from this House, entitled an act to provide for the alteration of state roads; and that the said committee report to their respective Houses. And

Thereupon,

Messrs. Stapp, Smith and Robb, were appointed managers of said conference on the part of this House.

Ordered, That the Senate be informed thereof.

Mr. Smith, having obtained leave, introduced a bill to reduce into one, all acts and parts of acts, now in force in this state, subjecting real and personal property to execution.

Which was read the first time and ordered to a second reading to-morrow.

Mr. Wright of R. from the select committee on that

subject, reported a bill, to alter a part of the state road leading from the Ohio state line, through Winchester to Indianapolis.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Everts, from the select committee on that subject, reported a bill to re-locate so much of the state road, leading from the Ohio state line, through Brookville to Indianapolis, as lies between that point, to which said road is opened, and Indianapolis.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Beckes, having obtained leave, introduced a bill to repeal the act, authorizing the laying off certain state roads therein named, and appropriating \$100,000 of the fund, commonly called the three per cent. fund, for opening said roads.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee of ways and means, introduced a bill, making appropriations for the year 1823.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Scott from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills of the following titles, to wit:

An act to provide for the election of certain officers therein named.

An act, giving further privileges to the freemen of the town of Lawrenceburgh, in the county of Dearborn.

An act appointing commissioners to lay out a state road from Lawrenceburgh, through Rising Sun and Vevay, to Madison.

And an act, providing for the revision of the statute laws of this state, and had found them truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

Mr. Pennington presented the petition of sundry citizens of Crawford county, on the subject of the contemplated road from New Albany, by Corydon to Princetown, in Gibson county.

Which was read and referred to the committee of the whole to whom was referred several petitions on the same subject.

Mr. Wright of R. introduced a bill to repeal the sixth section of the act, authorizing a State Medical Society.

Which was read the first time and ordered to be read a second time to-morrow.

The bill for the relief of Claudius G. Brown; was read the second time and ordered to be read a third time to-morrow.

The bill respecting salt petre caves, was read the second time and ordered to be engrossed for a third reading to-morrow.

The bill to locate a state road from the state line, west of Oxford, Ohio; to Connersville; was read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to amend the act, entitled an act, regulating the fees of the several officers and persons therein named; was read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The bill for the relief of William Youse; and the bill, attaching part of the county of Harrison, to the county of Floyd; were read the second time, severally, and ordered to be engrossed for a third reading to-morrow.

The engrossed bill from the Senate, entitled an act, for the relief of Joel Charles; was read a second time and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, entitled an act, for the formation of a new county out of the county of Marion and north of Marion; was read the second time; and the rule being dispensed with, the same was read the third time. And

On motion,

The question of its passage was postponed until to-morrow.

The bill for the relief of Harris Tyner; was read a third time and passed.

And on the question of its passage, the yeas and nays being demanded by Messrs. Beckes and Rout—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,	James,
Bassett,	Julian,
Bently,	Lucas,
Bullock,	Mauk,
Burnett,	M'Cleery,
Bush,	Palmer,
Childs,	Robb,
Clark,	Rout,
Clendenin,	Scott,
Dixon,	Scoville,
Dumont,	Smith,
Everts,	Stapp,
Glover	Wright of R. and
Jackson,	Mr. Speaker—28.

And those who voted in the negative were,

Messrs. Beckes,	Lane,
Casey,	Marshall,
Hill,	Molder,
Howk,	Pennington and
Hunt,	Wright of W—11.
Jordan,	

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed an engrossed bill, entitled an act, to authorize the qualified voters of this state, to vote for or against a convention, for the revision of the constitution of this state; in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time. And

Mr. Hunt moved that said bill be rejected.

And on that question, it was decided in the negative, and the yeas and nays being demanded by Messrs. Hunt and Rout—the votes were as follows:

Those who voted in the affirmative were,

Messrs. ✓ Bassett,	✓ M'Cleery,
✓ Dixon,	✓ Palmer,
✓ Dumont,	✓ Pennington,
✓ Everts,	✓ Robb,
✓ Hunt,	✓ Rout,—
✓ Julian,	✓ Scoville and
✓ Lucas,	✓ Stapp—15.
✓ Marshall,	

And those who voted in the negative were.

Messrs. ✓ Armstrong,	✓ Hill,
✓ Beckes,	✓ Howk,
✓ Bently,	✓ Jackson,
✓ Bullock,	✓ James,
✓ Burnett,	✓ Jordan,
✓ Bush,	✓ Lane,
✓ Casey,	✓ Mauk,
✓ Childs.	✓ Molder,
✓ Clark, Spott	✓ Scott,
✓ Clendenin,	✓ Smith,
✓ Daniel,	✓ Wright of W.
✓ Glover,	✓ Wright of R. and
✓ Green,	✓ Mr. Speaker—26.

The said bill was ordered to be read a second time to-morrow.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill to authorize a sale of lots at Indianapolis; was read the third time, and on the question of its passage, it was decided in the negative.

And on that question, the yeas and nays being demanded by Messrs. Armstrong and Hunt—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bently,	Lane,
Burnett,	Lucas,
Childs,	Mauk,
Daniel,	Scoville,
Dumont,	Smith and
Everts,	Wright of R—18.
Glover.	

And those who voted in the negative were,

Messrs. Armstrong,	James,
Bassett,	Jordon,
Beckes,	Julian,
Bullock,	Marshall,
Bush,	M'Cleery,
Casey,	Molder,
Clark,	Palmer,
Clendenin,	Pennington,
Dixon,	Rebb,
Green,	Rout,
Hill,	Scott,
Howk,	Wright of W. and
Hunt,	Mr. Speaker—27.
Jackson,	

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the following resolution:

Resolved, That the Senate will form themselves in-

to a high court of impeachment on Monday next, to proceed to the trial of Lewis R. Rogers, clerk of the circuit court of Martin county, on articles of impeachment preferred against the said Rogers, by the House of Representatives; and that the President of the Senate do issue the necessary process, commanding the said Rogers to appear before the Senate, at the time aforesaid, to answer to the articles of impeachment aforesaid; and also such subpoenas, and other process, as well for the state as the defendant, as may be necessary to compel the attendance of witnesses in the case aforesaid, which process to be directed to the sergeant-at-arms; and that the secretary the of Senate, furnish him with a copy of the articles of impeachment, who is directed to deliver the same to the defendant.

And he withdrew.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had adopted a resolution, similar to the one announced by Mr. Graham, in relation to the trial of John Tresenriter, a justice of the peace, for Harrison county, and that the Senate would form a high court of impeachment for said trial, on Thursday next.

And he withdrew.

The engrossed bill, to amend the act, entitled an act, for the formation of a new county, out of the county of Delaware—approved, December 31, 1821.

The engrossed bill to authorize Jesse Upton, to build a dam across Anderson's river.

The engrossed bill attaching part of the county of Gibson, to the county of Posey.

The engrossed bill to authorize Polly Mosely, administratrix, of Enos Mosely, deceased, to sell the real estate of said deceased.

The engrossed bill to incorporate a public seminary at Aurora, in Dearborn county.

And the engrossed bill attaching part of the county

of Perry, to the county of Crawford; were each taken up, read the third time and passed.

Ordered, That said bills be entitled acts.

Ordered, That said bills be carried to the Senate, and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole on the bill changing the mode of selling real estate on execution;

Mr. Casey in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Casey reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made one amendment to said bill, in which he requested the concurrence of the House.

On motion,

The House concurred in said amendment.

On motion by Mr. Beckes,

The further consideration of said bill was indefinitely postponed.

On motion,

The committee of the whole, were discharged from the further consideration of the bill, attaching part of the county of Jefferson to the county of Scott. And

On motion by Mr. Hunt,

The further consideration of said bill was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill, amendatory to the act, entitled an act, authorizing the building of a state prison and for other purposes.

Mr. James in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. James reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments

to the same, in which he asked the concurrence of the House. And

On motion,

The House concurred in the same.

A message was received from the Senate, by Mr. Clark, announcing that the Senate had passed an engrossed bill for the formation of Madison county; in which he asked the concurrence of this House.

And he withdrew.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed an engrossed bill, to amend an act, for the better regulation of the militia; in which he asked the concurrence of the House.

And he withdrew.

And the House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, DECEMBER 31, 1822.

House met pursuant to adjournment.

The engrossed bill from the Senate, entitled an act for the better regulation of the militia of the state of Indiana.

And the engrossed bill for the formation of the county of Madison; were each read the first time, and ordered to be read a second time to-morrow.

The House then proceeded to consider the bill, amendatory to the act, authorizing the building of a state prison.

Whereupon,

Mr. Stapp moved to amend the said bill, by striking out the 5th section thereof, which provides for the appropriation of \$2,500 for the purpose of erecting a wall around the same.

Which motion was negatived.

And the yeas and nays being demanded by Messrs. Stapp and Lucas.

Those who voted in the affirmative were,

Messrs. Bullock,	Jordan,
Burnett,	Julian,
Bently,	Jackson,
Clark,	Molder,
Clendenin,	M'Cleery,
Childs,	Robb,
Dixon,	Rout,
Glover,	Stapp,
Hunt,	Wright of R. and
Hill,	Wright of W—20.

And those who voted in the negative were,

Messrs. Armstrong,	Lucas,
Bassett,	Lane,
Bush,	Marshall,
Beckes,	Mauk,
Casey,	Palmer,
Daniel,	Pennington,
Dumont,	Scott,
Everts,	Smith,
Green,	Scoville and
Howk,	Mr. Speaker—21.
James,	

Mr. Scott, from the joint committee for enrolled bills, reported that the said committee did on this day lay before his excellency, the governor, for his approval and signature, the following enrolled bills, entitled acts, to wit:

An act appointing commissioners to lay out a state road from Lawrenceburgh, through Rising Sun and Vevay, to Madison.

An act for the formation of a new county, out of the county of Delaware.

An act attaching part of the county of Jackson to the county of Lawrence.

An act for the relief of Reuben H. Murray and Robert Gray.

An act giving to the citizens of Indianapolis a public burying ground.

An act providing for the election of a president and trustees for the Monroe county library.

An act legalizing the proceedings of the board of county commissioners of Knox county.

An act to provide for the election of certain officers therein named.

An act providing for the revision of the statute laws of this state.

An act giving further privileges to the freemen of the town of Lawrenceburgh, in the county of Dearborn.

A joint resolution to authorize the auditor of state, to audit the allowance of the sheriff of Fayette county, for a part of the state revenue for the year 1819.

Mr. Pennington presented the remonstrance of Benjamin Hurst and others, citizens of the county of Harrison, against attaching any part of the said county, to the county of Floyd.

Which was read and laid on the table.

Mr. Stapp, from the joint committee of free conference, appointed on the part of the two Houses, to take into consideration the disagreement between them, relative to the amendment made by this House, to the amendments made by the Senate, to the engrossed bill, entitled an act, to provide for altering state roads, reported, that the said committee had had the same under consideration, and had agreed to insert the sum of "one dollar and seventy five cents," in the said bill as the compensation to the road commissioners.

And on the question, shall the House concur in said report? it was decided in the affirmative; and the yeas and nays being demanded by Messrs. Daniel and Rout:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,

Hill,
Julian,

Burnett,
Bently,
Bush,
Clark,
Childs,
Daniel,
Dixon,
Dumont,
Everts,
Green,
Glover,

James,
Jackson,
Lucas,
Lane,
Marshall,
Molder,
Palmer,
Stapp,
Smith,
Wright of R. and
Wright of W—23.

And those who voted in the negative were,

Messrs. Bullock,
Beckes,
Howk,
Hunt,
Jordan,
M'Cleery,
Mauk,

Pennington,
Robb,
Rout,
Scott,
Scoville and
Mr. Speaker—13.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Graham, a member, announcing that the Senate have concurred in the report of the joint committee of free conference, appointed on the subject of the disagreement between the two Houses, relative to the amendment made by the House of Representatives, to the amendments made by the Senate, to the engrossed bill, entitled an act, to provide for altering state roads.

And he withdrew.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate have passed an engrossed bill, entitled an act, to amend the act, authorizing the sale of the seminary township, in Gibson county; in which he asked the concurrence of this House.

Which was read the first time, and ordered to a second reading on to morrow.

A message was received from the Senate by Mr. Sholtz, announcing that the Senate have passed a bill, for the improvement of the navigation of the eastern

fork of White river; in which he asked the concurrence of this House.

Mr. Glover moved to postpone indefinitely the further consideration of the said bill.

Which motion was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Glover and Wright of R.

Those who voted in the affirmative were,

Messrs. Armstrong,	Jordan,
Burnett,	Julian,
Bently,	Jackson,
Clark,	Lucas,
Clendenin,	Lane,
Casey,	Marshall,
Childs,	Molder
Daniel,	M'Cleery,
Dixon,	Mauk,
Dumont,	Stapp,
Glover,	Wright of R. and
Hawk,	Wright of W.—25.
Hill,	

And those who voted in the negative were,

Messrs. Bassett,	Pennington,
Beckes,	Palmer,
Bullock,	Robb,
Bush,	Rout,
Everts,	Scott,
Green,	Smith,
Hunt,	Scoville and
James,	Mr. Speaker—16.

Mr. Beckes, having obtained leave, introduced a bill to repeal so much of the revenue laws, as authorizes the laying a poll tax.

Which was read the first time.

Whereupon,

Mr. Wright of W. moved to reject said bill.

Which motion was decided in the negative.

And the yeas and nays being demanded by Messrs. Scott and Beckes:

Those who voted in the affirmative were,

Messrs. Bassett,	Jordon,
Bush,	James,
Burnett,	Marshall,
Clark,	M'Cleery,
Clendenin,	Molder,
Everts,	Mauk,
Howk,	Pennington,
Hunt,	Palmer,
Hill,	Wright of W—18

And those who voted in the negative were,

Messrs. Armstrong,	Jackson,
Bullock,	Lucas,
Beckes,	Lane,
Bently,	Rebb,
Casey,	Rout,
Childs,	Scott,
Daniel,	Stapp,
Dixon,	Smith,
Dumont,	Scoville,
Green,	Wright of R. and
Julian,	Mr. Speaker—22.

Ordered, That the said bill be read a second time on to-morrow.

The bill, to reduce into one act, all the acts and parts of acts, subjecting real and personal property to execution, was read the second time.

Whereupon,

Mr. Hunt moved to indefinitely postpone the further consideration thereof.

Which motion was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Smith and Howk:

Those who voted in the affirmative were,

Messrs. Armstrong,	Hill,
Bullock,	Jordan,
Bush,	Julian,
Clendenin,	James,
Casey,	Lane,

Childs.
Dixon,
Dumont,
Everts,
Green,
Glover,
Howk,
Hunt,

Marshall,
Molder,
M'Cleery,
Mauk,
Palmer,
Robb,
Wright of R. and
Wright of W—26.

And those who voted in the negative were.

Messrs. Bassett,
Burnett,
Beckes,
Bently,
Clark,
Daniel,
Jackson,
Lucas,

Pennington,
Rout,
Scott,
Stapp.
Smith;
Scoville and
Mr. Speaker—15.

The bill to alter the state road from the Ohio line through Winchester, to Indianapolis.

And the bill to re locate so much of the state road from the Ohio line through Brookville, to Indianapolis, as lies between said last named town and the point to which the said road has been opened; were each severally read the second time, and ordered to be read a third time on to-morrow.

The bill, to repeal the act, laying out certain state roads in this state, and appropriating \$100,000 of the fund, commonly called the three per cent fund, for opening the same, was read the second time.

Whereupon,

Mr. Lane moved to postpone the same indefinitely.

Which was decided in the affirmative.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The bill making appropriations for the year 1823,

and the bill, to amend the act, authorizing a State Medical Society in this state; were each read the second time, committed to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act, authorizing the qualified voters in this state, to vote for or against a convention to revise the constitution of this state, was read the second time, and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, entitled an act, for the formation of a new county, out of the county of Marion, and north of Marion, was read the third time and rejected.

The engrossed bill from the Senate, entitled an act, for the relief of Joel Charles, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill for the relief of Claudius G. Brown, was read the third time.

And on the question, shall this bill pass? it was decided in the negative.

And the yeas and nays being demanded by Messrs. Robb and Casey—the votes were as follows:

Those who voted in the affirmative were,	
Messrs. Bullock,	Smith,
Beckes,	Scoville and
Scott,	Mr. Speaker—6.

And those who voted in the negative were,	
Messrs. Armstrong,	Jordan,
Bassett,	Julian,
Burnett,	James,
Bush,	Jackson,
Bently,	Lucas,
Clark,	Lane,
Clendenin,	Marshall,
Casey,	Molder,
Childs,	M'Cleery,
Daniel,	Mauk,
Dixon,	Pennington,

De Pauw,
Everts,
Green,
Glover,
Howk,
Hunt,
Hill,

Palmer,
Robb,
Rout,
Stapp,
Wright of R. and
Wright of W—35.

The bill attaching part of the county of Harrison, to the county of Floyd, was read the third time and passed.

Ordered, That said bill be entitled an act; and that the Senate be informed thereof, and their concurrence requested.

The House, according to order, now resolved itself into a committee of the whole on the bill to revive and continue in force the act, locating certain permanent roads therein named, and for other purposes;

Mr. Palmer in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Palmer reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made several amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

On motion by Mr. Pennington,

The said bill was further amended, by striking out the name of William Hartgrove, and the words Warlick county, wherever they occur in said bill.

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion by Mr. Hunt,

The committee of the whole, to whom was referred the bill to authorize the agent at Indianapolis, to rent out the improved lands on the donation, were discharged from the further consideration of said bill. And

On motion,

The said bill was re-committed to a select committee of Messrs. Scott, Robb and Clendenin, to consider and report thereon.

On motion by Mr. Hawk,

The committee of the whole, to whom was referred the engrossed bill from the Senate, entitled an act, for the relief of securities of persons charged with criminal offences, were discharged from the further consideration thereof.

And the said bill was then read a third time and passed.

Ordered, That the Senate be informed thereof.

And the House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, JANUARY 1, 1823.

House met pursuant to adjournment.

Mr. Scott, from the select committee, to whom was referred, the bill to authorize the agent at Indianapolis to rent out the improved lands on the donation, reported a substitute for said bill.

Which was read the first time and ordered to be read a second time to-morrow.

On motion by Mr. Pennington,

The citizens of Vigo and Parke counties, who petitioned for a new county, out of said counties, had leave to withdraw their petition.

Mr. Hill, from the select committee, to whom was referred the petition of Isaac Coe and others, holders of improvements around Indianapolis, reported unfavorably to the prayer of said petitioners.

Which report was concurred in by the House.

Mr. Daniel presented the petition of sundry citizens of Perry county, praying an act authorizing the coun-

ty commissioners of said county, to lay a tax for certain purposes.

Which was read with the accompanying documents, and referred to a select committee of Messrs. Daniel, Robb and Beckes.

Mr. Wright of W. from the select committee on that subject, reported a bill, authorizing the agent of Rock Lick section, in Washington county, to grant a lease therein named.

Which was read the first time and ordered to a second reading to-morrow.

Mr. Rout having obtained leave, introduced a bill, to repeal the act, authorizing the appointment of an Attorney General, and providing for the compensation of such officer.

Which was read the first time and ordered to be read a second time to-morrow.

Mr. Stapp, from the committee of ways and means, now reported, that said committee had examined the offices of Auditor and Treasurer of state, and had found the books of said offices kept in a manner creditable to those officers, and that their entries and receipts correspond with their respective reports. The treasurer of state has furnished the committee with a report in detail of the receipts and expenses of the preceding year, which has been found on examination, to correspond with the treasury books, and with the aggregate of receipts and expenditures, reported from that department.

All of which is respectfully submitted.

In which report the House concurred.

Mr. Burnett, from the select committee to whom was referred, the petition of Clement Nance and others, of Floyd county, praying an act, appointing commissioners to re-locate the seat of justice of said county, reported a bill for that purpose.

Which was read the first time and ordered to be read a second time to-morrow.

On motion by Mr. Bush,

The vote heretofore taken for the indefinite postponement of the bill for the apportionment of Senators and Representatives in the counties therein named, was reconsidered, and the question again recurring on the indefinitely postponement of said bill.

And on that question, the yeas and nays being demanded by Messrs. Smith and Lucas—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Beckes,
Burnett,
Casey,
Green,
Howk,
Jackson,
James,

Marshall,
M'Cleery,
Palmer,
Pennington,
Scott,
Wright of W. and
Mr. Speaker—15.

And those who voted in the negative were,

Messrs. Bassett,
Bently,
Bullock,
Bush,
Childs,
Clark,
Clendenin,
Daniel,
De Pauw,
Dixon,
Dumont,
Everts,
Glover

Hill,
Hunt,
Jordan,
Julian,
Lane,
Mauk,
Molder,
Robb,
Rout,
Scoville,
Smith,
Stapp and
Wright of R.—26.

On motion by Mr. Bullock,

The said bill was recommitted to a select committee of Messrs. Bullock, Smith, Bush, Molder and Robb, to consider and report thereon.

Mr. Howk, having obtained leave, introduced a bill, supplemental to the act, for the formation of a

new county out of the county of Delaware—approved, December 31, 1821.

Which was read the first time and ordered to be read a second time to-morrow.

The engrossed bill from the Senate, for the formation of Madison county; was read the second time and ordered to be read the third time to-morrow.

The engrossed bill from the Senate, entitled an act, to amend the act, for the better regulation of the militia of the state of Indiana; was read the second time, committed to a committee of the whole House and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act, authorizing a sale of the seminary township in Gibson county; was read the second time. And

On motion by Mr. Howk,

The further consideration of said bill was indefinitely postponed.

The bill to repeal so much of the revenue laws of this state, as authorizes a poll tax; was read the second time. And

Mr. Bullock moved, that the further consideration of said bill be indefinitely postponed.

And on that question, it was decided in the negative; and the yeas and nays being demanded by Messrs. Beckes and Robb—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	James,
Bullock,	Julian,
Burnett,	Marshall,
Bush,	Mauk,
Clark,	M'Cleery,
Childs,	Molder
Clendenin,	Palmer,
Everts,	Pennington,
Hill,	Smith and
Howk,	Wright of W.—20.

And those who voted in the negative were,

Messrs. Armstrong,
 Beckes,
 Bently,
 Casey,
 Daniel,
 De Pauw,
 Dixon,
 Dumont,
 Glover,
 Green,
 Hunt,

Jackson,
 Jordan,
 Lane,
 Lucas,
 Robb,
 Rout,
 Scott,
 Scoville,
 Stapp,
 Wright of R. and
 Mr. Speaker—22.

The said bill was committed to a committee of the whole House and made the order of the day for Monday next.

The engrossed bill to re-locate a part of the state road from the Ohio state line, through Winchester to Indianapolis; and the engrossed bill to re-locate so much of the state road, leading from the Ohio state line, through Brookville to Indianapolis, as lies between the point to which said road is opened, and Indianapolis; were each read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The engrossed bill from the Senate, entitled an act, to authorize the qualified voters in this state, to vote for or against a convention to revise the constitution of the state of Indiana; was read a third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill for the relief of William Youse, collector of the revenue of Union County; was read the third time and rejected.

The engrossed bill concerning salt petre caves; was read a third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

On motion by Mr. Howk,

The committee of the whole were discharged from the further consideration of the joint resolution from the Senate, relative to the Illinois Grant, in Clark county; and the same was amended by inserting the names of Benjamin Ferguson and William G. Armstrong, as commissioners.

On motion by Mr. Burnett,

The same was further amended by striking out the name of James Baggs, as one of the commissioners, and inserting in lieu thereof, the name of John K. Graham, of Floyd county.

The said resolution was then read the third time and passed as amended.

Ordered, That the Senate be informed thereof and their concurrence in said amendment requested.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The House, according to order, now resolved itself into a committee of the whole, on the bill, to authorize a re-issue of treasury notes;

Mr. M'Cleery in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. M'Cleery reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

Which amendments he handed in at the clerk's table, where they were severally read and concurred in by the House, except the first amendment, by which it was provided, that the said treasury notes should

bear an interest at the rate of six per cent. per annum, from the dates of re-issuing said treasury notes respectively.

And on the question, will the House concur in said amendment, it was decided in the negative; the yeas and nays being demanded by Messrs. Beckes and Robb—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Julian,
Bullock,	Marshall,
Bush,	M'Cleery,
Clark,	Molder,
Childs,	Palmer,
De Pauw,	Rout,
Dumont,	Scoville,
Everts,	Smith and
James,	Wright of W.—18.

And those who voted in the negative were,

Messrs. Armstrong,	Hunt,
Beckes,	Jackson,
Bently,	Jordan,
Burnett,	Lane,
Casey,	Lucas,
Clendenin,	Mauk,
Daniel,	Pennington,
Dixon,	Rebb,
Glover,	Scott,
Green,	Stapp,
Hill,	Wright of R. and
Howk,	Mr. Speaker—24.

Mr. Beckes then moved so to amend said bill, that said treasury notes should not be received in payment of seminary funds.

Which was not agreed to.

On motion,

Ordered, That said bill be engrossed, and read a third time to-morrow.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the

engrossed bill from this House, entitled an act, to amend the act, regulating the granting of letters testamentary and letters of administration for the settlement of testate and intestate estates, with amendments thereto, in which he asked the concurrence of this House.

And he withdrew.

And the said amendments were taken up, read and concurred in by this House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Thompson, announcing that the Senate had concurred in the amendments made by the this House, to the joint resolution from the Senate, relative to the Illinois Grant, except so much as strikes out the name of James Baggs, and inserts the name of William G. Armstrong, in which the Senate refuse to concur.

And he withdrew. And

On motion by Mr. Howk,

Ordered, That this House will recede from said amendments.

Ordered, That the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the bill to amend the act, entitled an act, to amend the several acts, for opening and repairing public roads and highways;

Mr. Wright of W. in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Wright reported, that the committee of the whole had, according to order, had the same under consideration, but not having had time to go through the same, desired leave to sit again.

Which leave was not granted.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had postponed the trial of Lewis R. Rogers, clerk of Martin cir-

cuit court, on impeachment, until the next meeting of the General Assembly.

And the House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, JANUARY 2, 1823.

House met pursuant to adjournment.

Mr. Palmer presented the petition of *William Caruthers* and others, of *Sullivan county*, praying certain relief.

Which was read and referred to a select committee, composed of *Messrs. Palmer, Howk, Beckes, Bullock* and *Pennington*, to consider and report thereon.

On motion by *Mr. Pennington*,

Resolved, That the committee of the whole, to whom was referred the bill to amend the act, entitled an act, for opening and repairing public roads and highways, have leave to sit again, to consider the same.

Mr. Stapp from the committee of ways and means, reported that the said committee, had instructed him to prepare and submit a bill, making specific appropriations; which bill he handed in at the clerk's table.

Where it was twice read and referred to a committee of the whole House and made the order of the day for to-morrow.

Mr. Bassett, from the committee on the subject of stateroads, to whom was referred the petitions of *Thomas Craydon* and others; *Isaac Goble* and others; *Philip Catt* and *John Catt*, *Samuel G. Mitchel* and others, and *William Prince* and others; praying for alterations in certain state roads, reported that the said committee had, according to order, had the said several petitions under consideration, and are of opinion that the act passed at the present session, providing for the altering of state roads and for other purposes, affords

ample relief to the petitioners, and that therefore their prayer ought not to be granted.

Mr. Stapp presented sundry petitions of citizens of Jefferson county, on the subject of state roads.

Which were read and referred to the standing committee on that subject.

Mr. Scott presented the petitions of sundry citizens of Vigo county; praying that a part of the state road from Evansville to Terre Haute, may be changed.

Which petition was read and referred to a select committee, composed of Messrs. Scott, Bassett and Beckes.

Mr. Childs presented the petition of Sally Brock, praying a divorce.

Which having been read, the further consideration thereof was indefinitely postponed.

Mr. Bush submitted for consideration the following resolution, to wit:

Resolved, That a select committee be appointed to examine the accounts of the persons employed to furnish stationary, and the evidences to support said accounts, and to report to this House, on this day, the amount of stationary furnished to each House, and by whom drawn.

Which resolution having been read was rejected.

On motion by Mr. Bullock,

The vote heretofore taken on the passage of the bill from the Senate, for the formation of a new county, out of the county of Marion, and north of Marion; by which vote the said bill was rejected; was now reconsidered.

And the said bill having been amended by consent; the question being put, shall this bill pass?

It was resolved that the same do pass.

And the yeas and nays being demanded by Messrs. Bassett and De Pauw—

Those who voted in the affirmative were,

Messrs. Beckes,
Bently,
Bullock,
Bush,
Clark,
Clendenin,
Daniel,
De Pauw,
Dixon,
Dumont,
Everts,
Glover,
Green;

Jackson,
James,
Julian,
Lane,
Lucas,
Marshall,
Mauk,
Molder,
Rout,
Scott,
Smith,
Wright of W. and
Mr. Speaker—26.

And those who voted in the negative were,

Messrs. Armstrong,
Bassett,
Casey,
Childs,
Hill,
Howk,
Jordan,

M'Cleery,
Palmer,
Pennington,
Robb,
Scoville,
Stapp and
Wright of R.—14.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

Mr. Bush, from the committee to whom was referred the petition of William Sims and others, praying an alteration in a certain state road, therein named, reported that the committee had considered the same, and had instructed him to report, that in the opinion of the committee, ample relief is afforded the petitioners, by the provisions of an act passed at the present session, entitled an act to alter state roads and for other purposes.

On motion,

Resolved, That the House concur therein.

The House proceeded to consider the orders of the day.

The bill to authorize the state agent to rent out the improved lands on the donation at Indianapolis, was read a second time,

Ordered, That the same be read a third time to-morrow.

The bill to authorize the agent of the Rock Lick section, in Washington county, to grant a lease thereof, was read a second time.

Ordered, That the same be engrossed for a third reading on to-morrow.

The bill for the re-location of the seat of justice of Floyd county.

The bill, to repeal the act, entitled an act, establishing the office of attorney general, and providing for the compensation of such officer.

And the bill, supplemental to an act, for the formation of a new county, out of the county of Delaware—approved, December 31, 1821, were severally read the second time.

Ordered, That the said bills be engrossed for a third reading on to-morrow.

The bill from the Senate, for the formation of the county of Madison, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the bill, to amend the act, entitled an act, to amend the several acts, for opening and repairing public roads and highways;

Mr. Bently in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bently reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which amendments he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

On motion by Mr. James,

The said bill was further amended by adding the following section thereto:

SEC. 3. Whenever any district may deem necessary, they may by subscription or otherwise, procure one or more ploughs and scrapers, for the use of said district, and if procured by subscription, the purchasers of the same shall be allowed the value of the same, to be deducted out of his or their road tax, and said implements so procured, shall be held as the property of said district, and under the controul of the supervisor of said district, who shall be compelled to deliver the same to his successor in office, when called on for that purpose.

Mr. Hunt moved further to amend said bill, by striking out the word "three," and inserting in lieu thereof, the word "two," in that part of said bill, which provides the number of days which persons are required to work on public roads and highways.

Which motion was negatived.

Mr. Robb then moved further to amend said bill, by adding the following provision thereto, viz:

"And it shall be the duty of supervisors of public roads and highways, to first call out to work, on the public roads and highways, such persons as are the owners of land and town lots.

And on the question, shall the said bill be so amended? it was decided in the negative.

And the yeas and nays being demanded by Messrs. Robb and Dixon, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,
Beckes,
Bently,
Bullock,
Burnett,
Casey,
Childs,

Everts,
Green,
Hunt,
Lane,
Lucas,
Palmer,
Robb,

De Pauw,
Dixon,
Dumont,

Scoville,
Smith and
Wright of R —20.

And those who voted in the negative were,

Messrs. Armstrong,
Bush,
Clark,
Daniel,
Glover
Hill,
Howk,
Jackson,
James,
Jordan,
Julian,

Marshall,
Mauk,
M'Cleery,
Molder,
Pennington,
Rout,
Scott,
Stapp,
Wright of W. and
Mr. Speaker—21.

Mr. Childs then moved that the further consideration of said bill be indefinitely postponed.

Which motion was negatived.

And on that question, the yeas and nays being demanded by Messrs. Wright of W. and Bassett, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,
Bullock,
Burnett,
Bush,
Childs,
Clark,
De Pauw,

Dumont,
James,
M'Cleery,
Scott,
Scoville and
Smith—13.

And those who voted in the negative were,

Messrs. Armstrong,
Beckes,
Bently,
Casey,
Clendenin,
Daniel,
Dixon,
Everts,
Glover,

Julian,
Lane,
Lucas,
Marshall,
Mauk,
Molder,
Palmer,
Pennington,
Robb,

Green,
Hill,
Howk,
Hunt,
Jackson,
Jordan,

Rout,
Stapp,
Wright of R.
Wright of W. and
Mr. Speaker—29.

On motion by Mr. Smith,

The said bill was further amended by adding an additional section thereto, which reads as follows:

SECTION In all cases when any supervisor of a road or highway shall neglect, upon notice, within ten days, to put the respective roads and highways, in his district, in good repair, as is required by the act to which this is an amendment, he or they so offending, shall be fined for each offence, in any sum not exceeding five dollars, nor less than one dollar, to be recovered by information, before any court of competent jurisdiction, for the use of the county seminary.

On motion,

Ordered, That said bill be engrossed for a third reading to-morrow.

A message was received from the Senate, by Mr. Farnham, announcing that the Senate had concurred in the amendments made by this House, to the bill for the formation of Madison county; and the bill for the formation of a new county, out of the county of Marion and north of Marion.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed the engrossed bill from this House, entitled an act, authorizing the administrators of Simpson Charlton, deceased, to re-assign a certificate for certain real estate, to the former owner thereof, without amendment.

On motion,

The committee of the whole were discharged from the farther consideration of the bill, regulating the duties of sheriffs and other officers, therein named.

And the said bill was,

On motion,

Referred to a select committee of Messrs. Beckes, Scott and Howk.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed the engrossed bill from this House, entitled an act, attaching part of the county of Gibson, to the county of Posey, without amendment.

And he withdrew.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to amend the act, entitled an act, for the formation of a new county out of the county of Delaware—approved, December 31, 1824, without amendment.

The committee of the whole, to whom was referred, the bill to authorize the agent at Indianapolis, to sell three additional brick yards, were discharged from the further consideration thereof. And

On motion,

The said bill was ordered to be engrossed and read a third time to-morrow.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills of the following titles, to wit:

An act for the relief of Joel Charles.

An act to authorize the qualified voters of this state, to vote for or against a convention, to revise the constitution of this state.

And an act for the relief of securities of persons charged with criminal offences, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

On motion,

The committee of the whole, to whom was referred, the engrossed bill from the Senate, entitled an act, to authorize the circuit courts to decree a sale of real estate of minors, and for other purposes, were discharged from the further consideration of said bill.

And the same was then read a third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill, to revive and continue in force an act, for the location of certain permanent roads, therein named, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

A message was received from the Senate, by Mr. Clark, announcing that the Senate had passed an engrossed bill, entitled an act, to amend the act, regulating the mode of summoning and empannelling grand and petit jurors—approved, January 28, 1818.

In which they request the concurrence of this House. And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to limit the stay on executions to sixty days, after the fifteenth day of June next, with several amendments thereto.

In which they request the concurrence of this House. Which amendments were read and concurred in.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, entitled an act, to alter a part of the state road, leading from Mauk's

ferry, to Indianapolis, was read the third time and passed as amended.

Ordered, That the Senate be informed thereof.

A message was received from the Governor, by R. A. New, Esquire, announcing that his Excellency did, on the 31st of December, 1822, approve and sign—

An act for the relief of Reuben H. Murray, and Robert Gray.

An act for the election of president and trustees of the Monroe county library.

An act for the formation of a new county, out of the county of Delaware.

An act legalizing the proceedings of the board of county commissioners of Knox county.

An act attaching part of the county of Jackson, to the county of Lawrence.

An act giving to the citizens of Indianapolis a public burying ground.

And a joint resolution, to authorize the auditor of state, to audit the allowance of the sheriff of Fayette county, for a part of the state revenue, for the year 1819.

And he withdrew.

A message was received from the Senate, by Mr. Gray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, incorporating a public seminary at Aurora, in the county of Dearborn.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, authorizing the location of the seat of Justice of Putnam county; in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had passed a

bill, to authorize the administrators of the estate of George Wyman, deceased, to sell certain real estate; in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an engrossed bill, to authorize the Governor to rent such buildings, in the town of Corydon, as may be necessary for his accommodation and for other purposes; in which he asked the concurrence of the House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the bill from this House, entitled an act, to authorize Polly Mosely, administratrix, of Enos Mosely, deceased, to sell certain real estate, without amendment. And had passed a bill to re-locate a part of the state road leading from Mount Prospect, on the Ohio river, to Petersburg; to which he asked the concurrence of this House.

And the said bill was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had concurred in the amendments made by this House to the engrossed bill from the Senate, entitled an act, to alter a part of the state road leading from Mauk's Ferry, to Indianapolis.

The House, according to order, now resolved itself into a committee of the whole on the bill to re-locate the seat of justice of Scott county;

Mr. Scoville in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Scoville reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in the same.

Ordered, That said bill be engrossed for a third reading on to-morrow.

On motion,

The further orders of the day were postponed until to morrow.

On motion by Mr. Robb,

Resolved, That the committee on education be instructed to enquire of the treasurer of state, how much money, and what kind, has been paid into the treasury, by the commissioners of the seminary lands, in Gibson county, on account of the sale of said lands; and make report to this House.

And the House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, JANUARY 3, 1823:

House met pursuant to adjournment.

Mr. Scott, from the committee, to whom was referred the petition of sundry citizens of Vigo county, praying an alteration in the state road from Evansville to Terre Haute, reported a bill for that purpose.

Which was read.

Ordered, That the same be read a second time to-morrow.

Mr. Palmer, from the committee, to whom was referred the petition of William Caruthers and others, of Sullivan county, praying certain relief, reported a bill giving the relief prayed for.

Which bill was twice read, referred to a committee of the whole House and made the order of the day for to-morrow.

Mr. Smith, from the committee on that subject reported a bill to authorize John Norris, administrator of Jane and David Norris, deceased, to vest certain monies in land.

Which bill was twice read and ordered to be engrossed for a third reading on to-morrow.

Mr. Beckes, from the committee, to whom was referred the bill relative to the duties of sheriffs and other officers, reported that the committee had, according to order, had the said bill under consideration and had amended the same.

The said bill as amended, was twice read and ordered to be engrossed for a third reading to-morrow.

Mr. Hawk, from the committee for enrolled bills, reported that the committee had examined and found truly enrolled, the bills, entitled as follows, to wit:

An act to establish a state road from Aurora, in the county of Dearborn, to Napoleon, in the county of Ripley and certain other roads therein named.

An act dissolving the bans of matrimony between Charles Sefret and Hetty Sefret, his wife, late Hetty Mauze.

An act, to amend an act, entitled an act, for the formation of a new county out of the county of Delaware—approved, December 31, 1821.

An act, attaching part of the county of Gibson, to the county of Posey.

And a joint resolution for the benefit of the public printers.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President.

A message was received from the Senate, by Mr. Sholtz, announcing that the Senate had passed a bill,

appointing commissioners to examine and survey the falls of the East Fork of White river, at Hindostan.

Which bill having been read.

On motion by Mr. Glover,

Resolved, That the further consideration thereof, be indefinitely postponed.

Upon which resolution, the ayes and noes being required by two members, were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Armstrong,
Burnett,
Childs,
Clark,
Clendenin,
Daniel,
De Pauw,
Dixon,
Glover,
Green,
Hill,
Howk,

Jackson,
Jordan,
Julian,
Lane,
Lucas,
Marshall,
M'Cleery,
Molder
Stapp,
Wright of R. and
Wright of W.—23.

And those who voted in the negative were,

Messrs. Bassett,
Beckes,
Bullock,
Bush,
Casey,
Dumont,
Everts,
Hunt,
James,

Mauk,
Palmer,
Pennington,
Robb,
Rout,
Scott,
Scoville,
Smith and
Mr. Speaker—19.

Mr. Everts, from the committee on education, who were requested to make certain enquiries of the treasurer of state, reported that the committee had preformed that duty, and had received as an answer to their enquiries, the following communication, to wit:

To the chairman of the committee on Education.

Sir—In answer to your enquiries, I can only say, that it appears by the books of the treasury department of

this state, that on the fifth day of December last, the sum of four hundred and twenty one dollars and ninety six cents were paid in at the treasury, by the commissioners of the seminary lands in Gibson county. No funds have been transferred to me by the late treasurer, but the paper of the state; nor had I notice at the time of the transfer, that funds of a different description, had been paid in since the last report of the treasurer.

SAMUEL MERRILL, *Treas'r.*

S. EVERTS, *Chairman of* }
committe on Education. }

January 3, 1823.

Which having been read, was ordered to lie on the table.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed the following resolution:

Resolved, By the Senate, the House of Representatives concurring therein, that the Senate will meet the House of Representatives, in the Representative chamber, on to-morrow, at three o'clock P. M. for the purpose of electing a revisor of the statute laws of this state, pursuant to an act of the present session of the General Assembly; that the House of Representatives be informed thereof, and their concurrence requested; and that Mr. Harrison be appointed teller on the part of the Senate.

And he withdrew.

And the said resolution was read and ordered to lie on the table.

A message was received from the Senate, by Mr. Craig, announcing that the Senate had passed an engrossed bill, entitled an act, authorizing the trustees of the Madison Academy, to borrow certain funds from the trustee of the Jefferson county seminary, and requiring said trustee to loan the same.

In which he asked the concurrence of this House.

Which bill was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate by Mr. Daniel, announcing that the Senate had passed an engrossed bill, to amend the several acts, regulating fees.

In which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and ordered to be read the second time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the engrossed bill from this House, entitled an act, regulating the duties and jurisdiction of justices of the peace, with sundry amendments to the same.

In which they request the concurrence of this House.

And he withdrew.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had passed the following resolution:

Resolved, That the Senate will now form itself into a court of impeachment, for the trial of John Tresenriter, a justice of the peace of Harrison county, and that the House of Representatives be informed thereof.

And he withdrew.

Mr. Robb, from the committee on that subject, reported a bill, to authorize the county commissioners of Perry county to assess a special tax.

Which was read the first time, and ordered to be read a second time to-morrow.

Mr. Bassett introduced a joint resolution to suspend the operation of an act passed at the present session of the General Assembly, entitled an act, limiting the stay on executions, and for other purposes.

Which was read and laid on the table.

The engrossed bill from the Senate, to amend the

act, regulating the mode of summoning and empanneling grand and petit jurors.

The engrossed bill from the Senate, to authorize the administrators of George Wyman, deceased, to sell certain real estate.

And the engrossed bill from the Senate, for the location of the seat of justice of Putnam county, were each read the second time, and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, entitled an act, to authorize the Governor to rent such buildings as may be necessary for his accommodation, and for other purposes, was read the second time. And

On motion by Mr. Pennington,

The further consideration of said bill was indefinitely postponed.

On motion by Mr. Scott,

Resolved, By the House of Representatives, that the Senate be invited to occupy the Hall of the House of Representatives, while sitting as a high court of impeachment, on the trial of John Tresenriter, a justice of the peace of Harrison county, and that the Senate be informed thereof.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate would accept the invitation of this House, to occupy the Hall of the House of Representatives, while sitting as a court of impeachment, on the trial of John Tresenriter, a justice of the peace for Harrison county.

And he withdrew.

And the House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, JANUARY 4, 1823.

House met pursuant to adjournment.

The House proceeded to consider the amendments.

made by the Senate, to the engrossed bill from this House, entitled an act, to amend the several acts, regulating the duties and jurisdiction of justices of the peace. And

Thereupon,

Resolved, That the House will concur in the fifth amendment made by the Senate to the bill.

Resolved further, That the House will not concur in the 1st, 2d, 4th, 6th, 7th, and 8th, amendments.

Ordered, That the Senate be informed thereof.

Mr. Beckes presented the account of Messrs. Thomasson and Truitt, for stationary, &c. furnished the General Assembly.

Which was read and referred to a select committee, composed of Messrs. Beckes. Pennington, James, M'Cleery and Bullock, to consider and report thereon.

Mr. Scott, from the committee to whom was referred, so much of the Governor's message as relates to the navigation of the river Wabash, reported that the committee had considered the said subject, and had instructed him to prepare and submit a joint resolution on the subject.

Which having been read at the clerk's table.

Ordered, That the same pass to a second reading on Monday next.

The House proceeded to consider the communication of the treasurer of state, relative to the funds paid into the treasury by the commissioners of the seminary lands in Gibson county.

Which having been read,

Mr. Robb submitted the following resolution, to wit:

Resolved, That the committee on education be instructed to enquire of D. C. Lane, late treasurer of state, what kind of money was paid into the treasury, by the commissioners to superintend the sale of the seminary township in Gibson county. And if, on en-

quiry so made, they find that the money so paid into the treasury, by the said commissioners, were made in specie or its equivalent, that they particularly enquire how and what manner the said monies were disposed of; and the reason, if any, why the said monies were not transferred or paid over to the present treasurer, in the same kind of money, which was paid by the commissioners, into the state treasury, that it may be made and remain a productive fund, for the benefit of the state seminary, agreeably to the provisions of an act, entitled an act, providing for the sale of the seminary township in Gibson county, and for other purposes; and that they report to this House.

Which resolution having been read, was adopted.

And on the question of its adoption, the ayes and noes being required—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Beckes,
Bently,
Bullock,
Burnett,
Bush,
Casey,
Childs,
Clark,
Clendenin,
Daniel,
De Pauw,
Dixon,
Glover,
Green,
Hill,
Howk,

Hunt,
Jackson,
Jordan,
Julian,
Lucas,
Marshall,
Mauk,
M'Cleery,
Palmer,
Pennington,
Robb,
Rout,
Scott,
Scoville,
Stapp,
Wright of W. and
Mr. Speaker—35.

And those who voted in the negative were,

Messrs. Dumont,
Everts,
James,

Lane,
Smith and
Wright of R—6.

On motion by Mr. Beckes,

Resolved, That the contract in the possession of this House, for furnishing stationary, be referred to the committee to whom was referred, the account for stationary, and that Messrs. Robb, Jordan, Marshall, Wright of W., Hill, Scoville, Armstrong and Palmer, be added to that committee.

Mr. Bullock, from the select committee to whom was referred, the bill for the apportionment of Senators and Representatives, in certain counties therein named, reported the said bill with amendments. Which bill having been read as amended, was ordered to be read a second time on Monday next.

Mr. Dixon presented the petition of William Maxwell and others, praying that Eel river may be declared a navigable stream.

Which having been read, was referred to a select committee, composed of Messrs. Dixon, Rout, Lane and Hunt, to consider and report thereon.

The House proceeded to consider the orders of the day.

The joint resolution suspending the operation of an act, passed at the present session, entitled an act, limiting the stay on executions to sixty days, after the fifteenth day of June next; was read a second time.

On motion by Mr. Robb,

Resolved, That the further consideration of the said last mentioned resolution, be indefinitely postponed.

Upon which question the ayes and noes being required by two members—were as follows:

Those who voted in the affirmative were,

Messrs. Beckes,
Burnett,
Bush,
Casey,
Childs,
Clendenin,
Daniel,

Julian,
Lucas,
Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,

De Pauw.
Dixon,
Dumont,
Everts,
Glover,
Green,
Hill,
Howk,
Hunt,

Pennington,
Robb,
Rout,
Scott,
Smith,
Stapp,
Wright of R.
Wright of W. and
Mr. Speaker—32.

And those who voted in the negative were,

Messrs. Armstrong,
Bassett,
Bently,
Bullock,
Clark,

Jackson,
James,
Jordan,
Lane and
Scoville—10.

A message was received from the Senate, by Mr. Farnham, announcing that the Senate had been officially informed, that his excellency the Governor, had approved and signed the enrolled bill, entitled an act, providing for the revision of the statute laws of this state.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed a bill from this House, entitled an act, concerning salt petre caves and for other purposes, with some amendments; in which he requested the concurrence of this House.

The amendments made by the Senate, to the last mentioned bill, having been read, it was resolved that the House do refuse to concur therein.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Ray, announcing that the Senate have adopted the following resolution, to wit:

Resolved, By the Senate, the House of Representatives concurring therein, that the Senate will positively adjourn precisely at twelve o'clock, on Saturday next, without day, unless the business before the General Assembly, be sooner despatched.

Which resolution having been read, the House refused to concur therein.

A message was received from the Senate, by Mr. Jenckes, announcing that the Senate have passed a bill from this House, entitled an act, to authorize the administrators of Andrew Brooks, deceased, to sell certain real estate, with an amendment, in which the concurrence of this House is requested.

The amendment made by the Senate, to the last mentioned bill having been read and considered, resolved that this House do concur therein.

Ordered, That the Senate be informed thereof.

On motion by Mr. Beckes,

Resolved, That the House of Representatives will meet the Senate in the Representatives' chamber, this afternoon, at 3 o'clock, for the purpose of electing a revisor of the statute laws of this state; that Mr. Beckes is appointed teller on the part of the House of Representatives, and that seats be prepared for the members of the Senate, on the right hand of the speaker's chair.

The bill authorizing the trustees of Madison Academy, to loan certain funds from the trustee of the Jefferson county seminary, and requiring said trustee to loan the same.

The bill to re-locate a part of the state road from Evansville to Terre Haute.

The bill for the relief of the county agent of Sullivan county.

And the bill to authorize county commissioners of Perry county, to levy a special tax; were severally read the second time and ordered to be engrossed for a third reading on Monday next.

The engrossed bill from the Senate, to amend the several acts regulating fees, was read the second time and referred to a committee of the whole House on Monday next.

The bill to amend the act, authorizing the building

of the state prison and for other purposes; was read the third time and passed.

On the question of the passage of the last mentioned bill, the ayes and noes being required by Messrs. Wright of W. and Lucas—were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Beckes,
Burnett,
Bush,
Casey,
Daniel,
De Pauw,
Dumont,
Everts,
Glover,
Green,
Hill,
Howk,

James,
Jordan,
Lane,
Lucas,
Marshall,
Mauk,
M'Cleery,
Palmer,
Pennington,
Rout,
Scott,
Scoville,
Smith and
Mr. Speaker—23.

And those who voted in the negative were,

Messrs. Bently,
Childs,
Dixon,
Hunt,
Jackson,
Julian,

Molder,
Robb,
Stapp,
Wright of W. and
Wright of R.—11.

The engrossed bill to authorize the re-issue of treasury notes, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill to re-locate the seat of justice of Floyd county.

The bill authorizing the state agent at Indianapolis, to rent out the improved lands on the donation.

And the bill authorizing the agent of Rock Lick section, to make a lease therein named; were each read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The bill to amend the act, entitled an act, for the formation of a new county out of the county of Delaware—approved, December 31, 1821.

And the bill, to authorize the agent at Indianapolis, to sell three additional brick yards; were each read the third time and rejected.

The bill to repeal the act, establishing the office of attorney general, and providing for the compensation of such officer; was read the third time.

And on the question, shall this bill pass? it was decided in the negative; and the yeas and nays being demanded by Messrs. Smith and Scott, the votes were as follows—yeas 16, nays 25.

Those who voted in the affirmative were.

Messrs. Casey,	M'Cleery,
Childs,	Palmer,
Dixon,	Pennington,
Glover,	Robb,
Hill,	Rout,
Hunt,	Scoville,
Jordan,	Wright of R. and
Julian,	Wright of W.—16.

And those who voted in the negative were.

Messrs. Armstrong,	Hawk,
Bassett,	Jackson,
Beckes,	James,
Bently,	Lane,
Bullock,	Lucas,
Burnett,	Marshall,
Bush,	Mauk,

Clark,
Clendenin,
De Pauw,
Dumont,
Everts,
Green,

Molder,
Scott,
Smith,
Stapp and
Mr. Speaker—25.

The engrossed bill to re-locate the seat of justice of Scott county, was read a third time and passed.

And on the question of its passage; the yeas and nays, being demanded by Messrs. Hunt and Stapp—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Armstrong,
Bently,
Casey,
Clark,
Daniel,
De Pauw,
Dixon,
Everts,
Glover
Green,
Hill,
Jackson,

Jordan,
Julian,
Lane,
Marshall,
Mauk,
Molder,
Pennington,
Robb,
Scoville,
Wright of R.,
Wright of W. and
Mr. Speaker—24.

And those who voted in the negative were,

Messrs. Beckes,
Bullock,
Bush,
Childs,
Clendenin,
Dumont,
Howk,
Hunt,

James,
M'Cleery,
Palmer,
Rout,
Scott,
Smith and
Stapp—15.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills of the following titles, to wit:

An act, authorizing the circuit courts to decree the sale of the real estate of minors and for other purposes.

An act, for the formation of Madison county.

And a joint resolution of the General Assembly, relative to the Illinois Grant, in Clark county; and had found them truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President.

On motion by Mr. Pennington.

Resolved, That the Senate be informed, that the House of Representatives, will now meet them in the Representatives' chamber, for the purpose of electing a revisor to revise the statute laws of this state.

A message was received from the Senate, by Mr. Grass, announcing that the Senate had passed the engrossed bill from this House, to authorize Jesse Upton, to build a mill dam across Anderson's river, without amendment.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate insist on their amendment made to the engrossed bill from this House, supplemental to an act, entitled an act, to amend the act, regulating the duties and jurisdiction of justices of the peace—approved, January 28, 1818; and that the Senate, recede from their amendment made to the bill from this House, concerning salt petre caves.

And he withdrew.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had passed the engrossed bill from the House of Representatives, supplemental to the act, regulating the duties of sheriffs and other officers, without amendment.

The Senate now came in and took their seats in the Representatives' chamber, and the two Houses proceeded by joint ballot, to the election of a revisor of the statute laws of this state, and upon examination,

it was found that William Hendricks, was duly elected;

Whereupon,

The President of the Senate, in the presence of the two Houses, proclaimed William Hendricks, duly elected.

Whereupon,

The Senate retired to their chamber.

And the House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, JANUARY 6, 1823.

House met pursuant to adjournment.

Mr. Bullock, having obtained leave, introduced a bill, declaring Big Sand creek navigable.

Which was read the first time. And

On motion,

The rules were dispensed with.

And the said bill was read the second time, and ordered to be engrossed for a third reading to-morrow.

On motion by Mr. Smith,

Resolved, That this House do insist on their disagreement, to the amendments made by the Senate, to the bill which originated in this House, supplemental to an act, amendatory of the several acts, regulating the jurisdiction and duties of justices of the peace, and that a committee be appointed by this House, to act with a similar committee to be appointed on the part of the Senate, as a committee of free conference, on the difficulties now existing between the Senate and this House, relative to said amendments, and that the Senate be informed thereof, and a similar committee on their part be requested. And

Thereupon,

Messrs. Scott and Smith were appointed that committee on the part of this House.

Mr. Scott having obtained leave, introduced a bill, to establish a state road from Terre Haute to Fort Wayne.

Which was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Chambers, announcing that the Senate had passed a bill, entitled an act, supplemental to the act, incorporating a county library in the county of Dubois, and other counties therein named—approved, January 28, 1818, which originated in the House of Representatives, without amendment.

Mr. Beckes presented the petition of Frances Lownds, praying a divorce.

Which was read and ordered to lie on the table.

Mr. Howk, from the select committee to whom was referred, the bill appropriating state funds for expenses incurred in conveying convicts to the state prison, reported that the committee had, according to order, had the said bill under consideration, and had made no amendment thereto.

On motion,

The said committee were discharged from the further consideration of the said bill.

On motion,

Resolved, That the further consideration of said bill be indefinitely postponed.

Mr. Howk, having obtained leave, introduced a bill, to provide for the better security of seminary funds.

Which bill, (the rule being dispensed with,) was twice read, and ordered to be read a third time to-morrow.

Mr. Scott from the committee for enrolled bills, reported that the committee did, on the 4th inst. present to his Excellency, the Governor, for his approbation

and signature the enrolled bills, entitled as follows, to wit:

An act for the relief of Joel Charles.

An act for the relief of securities of persons charged with criminal offences.

An act to authorize the qualified voters of this state, to vote for or against a convention for the revision of the constitution of this state.

An act to dissolve the bans of matrimony, between Charles Sefret, and Hetty his wife, late Hetty Mauze.

An act to establish a state road from Aurora, in the county of Dearborn, to Napoleon, in the county of Ripley, and certain other roads therein named.

An act, to amend an act, entitled an act, for the formation of a new county, out of the county of Delaware—approved, December 31, 1821.

An act for the formation of the county of Madison.

An act authorizing the circuit courts, to decree a sale of the real estate of minors, and for other purposes.

A joint resolution for the benefit of the public printers.

And also, four joint resolutions, relative to the Illinois Grant in Clark county.

Mr. Bush introduced a bill for the incorporation of the East Fork of White Water River Toll Bridge Company.

Which bill, (the rule being dispensed with) was twice read, and ordered to be engrossed for a third reading on to-morrow.

Mr. Stapp, from the committee of ways and means, reported a bill, for the distribution of the laws and journals of the present General Assembly.

Which bill (the rule being dispensed with) was twice read, and referred to a committee of the whole House for to-morrow.

Mr. Burnett introduced a bill, authorizing a donation of lots at Indianapolis, for religious purposes.

Which having been read, was rejected.

The House proceeded to consider the orders of the day.

The joint resolution respecting the navigation of the river Wabash.

Which was read, and

On motion by Mr. Pennington,

Resolved, That the further consideration thereof, be postponed until the first Monday in December next.

A message was received from the Senate, by Mr. Graham, announcing that the Senate have appointed Messrs. Graham and Daniel, a committee of free conference on their part, to act with such similar committee to be appointed on the part of the House of Representatives, on the disagreement between the two Houses, respecting the amendments made by the Senate, to the bill from the House of Representatives, supplemental to an act, amending the several acts, regulating the duties and jurisdiction of justices of the peace.

The bill for the apportionment of Senators and Representatives, in the counties therein named, was read a second time.

Mr. Beckes then moved that the further consideration thereof be indefinitely postponed.

Which motion was negatived.

The ayes and noes being required by Messrs. Smith and Lucas, the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Beckes,
Green,
Howk,
M'Cleery,

Palmer,
Pennington,
Wright of W. and
Mr. Speake.—9.

And those who voted in the negative were,

Messrs. Bassett,
Bently,
Bullock,

Hunt,
Jackson,
James,

Burnett,
 Bush,
 Casey,
 Childs,
 Clark,
 Clendenin,
 Daniel,
 De Pauw,
 Dixon,
 Dumont,
 Everts,
 Glover,
 Hill,

Jordan,
 Julian,
 Lane,
 Lucas,
 Marshall,
 Mauk,
 Molder,
 Robb,
 Rout,
 Scoville,
 Smith and
 Wright of R.—32.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

A message was received from the Senate, by Mr. Slaughter announcing that the Senate have passed a bill which originated in the House of Representatives, entitled an act, to revive and continue in force an act, entitled an act, locating certain permanent roads therein named, and for other purposes—approved, January 22, 1820, with several amendments thereto.

In which amendments he requested the concurrence of this House.

The said amendments having been severally considered, it was

Resolved, That the House concur in the first, third and fourth amendments aforesaid, and that to the said second amendment they do refuse to concur.

Ordered, That the Senate be informed thereof.

The bill, to amend the act, for opening and repairing public roads and highways, was read the third time.

And on the question of its passage the ayes and noes were demanded by Messrs. Bassett and Lucas, and were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Beckes,
 Casey,
 Clendenin,
 Dixon,
 Hill,

Molder,
 Pennington,
 Robb,
 Rout,
 Stapp,

Hunt,
Jordan,
Julian,
Lane,

Wright of R.
Wright of W. and
Mr. Speaker—17.

And those who voted in the negative were,

Messrs. Armstrong,
Bassett,
Bullock,
Burnett,
Bush,
Childs,
Daniel,
Dumont,
Everts,
Glover,
Green,

Howk,
Jackson,
James,
Lucas,
Marshall,
Mauk,
M^cCleery,
Palmer,
Scott,
Scoville and
Smith—22.

And so the said bill was rejected.

The bill authorizing the administrators of the estate of Jane and David Norris, deceased, to vest certain monies in land, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The bill relative to the duties of sheriffs and other officers, was read a third time and passed.

Ordered, That the said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The bill from the Senate, entitled an act, to amend the act, regulating the mode of summoning and empannelling grand and petit jurors, was read the third time.

And the further consideration thereof was postponed until to-morrow.

The bill from the Senate, entitled an act, for the relocation of the seat of justice of Putnam county, was read the third time.

Whereupon,

Mr. Scott moved that the further consideration of

the said bill be postponed until the first Monday in December next.

The previous question was called for by three members. And

Thereupon,

The question being put, shall the main question be now put? it was determined in the affirmative.

And the ayes and noes being required by two members, were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bently,
Bullock,
Burnett,
Childs,
Clendenin,
Daniel,
De Pauw,
Everts,
Glover
Green,
Hill,
Howk,
Hunt,

Jordan,
Lane,
Lucas,
Mauk,
Molder,
Palmer,
Pennington,
Robb,
Rout,
Smith,
Stapp,
Wright of R. and
Wright of W—27.

And those who voted in the negative were,

Messrs. Bassett,
Beckes,
Bush,
Casey,
Clark,
Dixon,
Dumont,
Jackson,

James,
Julian,
Marshall,
M'Cleery,
Scott,
Scoville and
Mr. Speaker—15.

The question being then put, shall the bill pass? it was determined in the affirmative.

Ordered, That the Senate be informed thereof.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

The engrossed bill from the Senate, to authorize the administrators of George Wyman, deceased, to convey certain real estate, was read the third time and passed as amended.

Ordered, That the Senate be informed thereof, and their concurrence therein requested to the amendment made to said bill by this House.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills of the following titles, to wit:

An act authorizing the executors of the last will and testament of Andrew Brookes, 'deceased, to sell and convey certain lands, therein named.

An act authorizing Jesse Upton to build a mill dam across Anderson's river.

And an act, supplemental to an act, entitled an act, regulating the duties of sheriffs and coroners, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

The engrossed bill from the Senate, to re-locate a part of the state road from Mount Prospect to Petersburg, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill to re-locate a part of the state road from Evansville to Terre Haute, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill to authorize the trustees of the Madison Academy to loan certain funds from the trustee of the Jefferson county seminary, and requiring the said trustee to loan the same, was read the third time and rejected.

The engrossed bill for the relief of the securities

of the late agent of the county of Sullivan, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill to authorize the county commissioners of the county of Perry, to levy a special tax, was read the third time.

Mr. Daniel moved that the further consideration of said bill, be indefinitely postponed. And

Thereupon,

The previous question was called for by three members, which being put, was carried in the affirmative.

And the main question, shall this bill pass? was thereupon put.

And on that question, the yeas and nays being demanded by Messrs. Daniel and Lucas—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Bassett,
Bush,
Everts,
Howk,
James,

Lane,
Lucas,
Robb and
Scoville—9.

And those who voted in the negative were,

Messrs. Armstrong,
Beckes,
Bently,
Bullock,
Burnett,
Casey,
Childs,
Clark,
Clendenin,
Daniel,
Dixon,
Dumont,
Glover,
Green,
Hill,
Hunt,

Jackson,
Jordan,
Julian,
Marshall,
Mauk,
M'Cleery,
Molder,
Palmer,
Pennington,
Rout,
Scott,
Smith,
Stapp,
Wright of R.
Wright of W. and
Mr. Speaker—32.

And so the said bill was rejected.

The House, according to order, now resolved itself into a committee of the whole, on the bill, for the location of a state road therein named; and the bill to locate a state road from the state line, west of Oxford, Ohio, to Indianapolis;

Mr. Bullock in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bullock reported, that the committee of the whole had, according to order, had the said bills under consideration, and had made some progress therein, but not having had time to go through the same, desired leave to sit again.

Which leave was not granted. And

On motion,

The said two bills were re-committed to a select committee of Messrs. Smith, Everts and Hawk, to consider and report thereon.

On motion,

The committee of the whole was discharged from the further consideration of the bill from the Senate, entitled an act, to provide for the safe keeping of persons charged with criminal offences. And

Thereupon,

The said bill was read the third time and passed.

Ordered, That the Senate be informed thereof.

On motion,

The committee of the whole, was discharged from the further consideration of the bill from the Senate, to dissolve the bans of matrimony, between John Blue and Abigail Blue his wife; and the said bill was

Thereupon,

Read the third time and rejected.

The House, according to order, now resolved itself into a committee of the whole on the bill for assessing and collecting revenue;

Mr. M'Cleery in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. M'Clreery reported, that the committee of the whole had, according to order, had said bill under consideration, and had made one amendment to the same, by striking out the first section of said bill; in which he asked the concurrence of the House.

On motion,

The House concurred in the same.

On motion,

The further consideration of said bill was indefinitely postponed.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, supplemental to the act, entitled an act, to amend the act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery, and had made sundry amendments to the same; in which he asked the concurrence of the House.

And he withdrew.

And the said amendments were severally read and concurred in, except the 6th, 7th, 10th, 11th, 12th and 13th amendments, in which the House refused to concur.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate have receded from their amendment made to the bill, from this House, entitled an act, to revive and continue in force, an act, entitled an act locating certain permanent roads therein named, and for other purposes—approved, January 22, 1820; in which amendment this House refused to concur.

On motion,

The committee of the whole were discharged from the further consideration of the bill, dissolving

the bans of matrimony between James Fowler and Eliza his wife.

And the House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, JANUARY 7, 1823.

House met pursuant to adjournment.

Mr. Wright of Washington and Mr. Stapp, presented the petitions of sundry citizens of Washington and Jefferson counties, praying alterations in state roads.

Which were postponed until the first Monday in December next.

Mr. Smith, from the select committee, to whom was referred the bill locating a state road therein named; and also, the bill to locate a state road from the Ohio state line, west of Oxford, to Indianapolis, reported that said committee had had the said bills under consideration, and had directed him to report a bill, embracing the subject matter of said two bills, in one.

Which bill he handed in at the clerk's table, where it was read the first time; and ordered to be read a second time to-morrow.

A message was received from the Governor, by Mr. Payne, his private secretary, announcing that his Excellency did, on the 6th inst. approve and sign the following acts, to wit:

An act to establish a state road from Aurora, in the county of Dearborn, to Napoleon, in the county of Ripley, and certain other roads therein named.

An act, to amend an act, entitled an act, for the formation of a new county, out of the county of Delaware—approved, December 31, 1821.

An act to attach part of the county of Gibson, to the county of Posey.

An act to dissolve the bans of matrimony, between

Charles Sefret, and Hetty his wife, late Hetty Mauze.

And a joint resolution for the benefit of the public printers.

All of which originated in the House of Representatives.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed the engrossed bill from this House, to authorize a re-issue of treasury notes, with some amendments; in which amendments he asked the concurrence of this House.

And he withdrew.

And the said first amendment was read and concurred in; and the second amendment was read and concurred in; which provides that treasury notes shall bear interest at the rate of six per cent. per annum.

And on the question of concurring in said amendment; the yeas and nays being demanded by Messrs. Beckes and Robb—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Jordan,
Bullock,	Julian,
Burnett,	Lane,
Bush,	Marshall,
Casey,	Mauk,
Childs,	M'Cleery,
Clark,	Molder,
Daniel,	Palmer,
Dumont,	Pennington,
Everts,	Robb,
Glover,	Rout,
Green,	Scott,
Hill,	Scoville,
Jackson,	Smith and
James,	Wright of W.—30.

And those who voted in the negative were,

Messrs. Armstrong,	Hunt,
Beckes,	Lucas,
Bently,	Stapp,
Clendenin,	Wright of R. and
Dixon,	Mr. Speaker—11.
Howk,	

Ordered, That the Senate be informed thereof.

Mr. Clark, having obtained leave, introduced a bill relative to executions and treasury notes.

Which was read the first time and rejected.

Mr. Smith, from the managers on the committee of free conference, on the subject matter of dispute between the two Houses, in relation to the disagreement of this House, to the amendments made by the Senate to the bill from this House, entitled an act, supplemental to an act, to amend an act, regulating the duties and jurisdiction of justices of the peace—approved, January 28, 1818; made the following report:

The Senate agree to recede from their first amendment to said bill, except so much thereof, as will retain in force the enacting clause of said act.

The Senate agree to recede from so much of the second amendment, as strikes out the fifth section of said bill; and the House of Representatives agree to recede from their disagreement to so much of said amendment as strikes out the fourth section of said bill.

The House of Representatives agree to recede from their disagreement to all of the fourth amendment to the bill, except so much thereof as declares justices courts to be courts of record; and the Senate insist upon that amendment.

The Senate recede from the sixth amendment made to the bill.

On motion,

The House concurred in said report.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Harrison announcing that the Senate had concurred in the report of the managers of the committee of free conference, on the disagreement of the two Houses, to the amendments made by the Senate, to an engrossed bill from the House of Representatives, entitled an act, to amend an act, supplemental to an act, entitled an act, to regulate the duties and jurisdiction of jus-

tices of the peace—approved, January 24, 1818; and that the Senate have receded from so much of their amendments as declares justices courts, to be courts of record.

And he withdrew.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an engrossed bill, entitled an act, to amend an act, entitled an act, regulating grist mills and millers—approved, September 17, 1807; in which he asked the concurrence of this House.

And the said bill was read the first time, and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Clark, announcing that the Senate had passed the engrossed bill from this House, entitled an act authorizing the agent at Indianapolis, to rent out the improved lands on the donation, without amendment.

A message was received from the Senate, by Mr. Jenckes, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to relocate a part of the state road from Evansville to Terre Haute, without amendment.

Mr. Everts, from the committee on education, which was required to make certain enquiries of D. C. Lane, late treasurer of state, relative to the funds paid into the treasury, by the commissioners, to superintend the sale of the seminary township in Gibson county, reported that said committee had performed the duty assigned them, and had received for answer to those enquiries, the following communication, viz.

Corydon, January 6, 1823.

SIR,

The resolution you handed me to-day, contains several interrogatories, relative to the payment made at the treasury, by the commissioners to superintend the sale of the seminary township in Gibson county. As a preliminary to the requisition made of me, I have

to enquire of you as the organ of that body making those enquiries, whether treasury notes long since due at the treasury, is not a payment in discharge of any obligation which I may be under, as the late treasurer of Indiana.

With respect,

I am yours, &c.

D. C. LANE.

Which communication being read,

Mr. James submitted the following resolution:

Resolved, That the Attorney General be instructed to institute a suit against D. C. Lane, late treasurer of state, for the sum of dollars, the amount of money paid into the treasury by the trustee of the seminary township in Gibson county, and unaccounted for by him to the present treasurer.

Which resolution was read and ordered to lie on the table.

A message was received from the Senate, by Mr. Farnham, announcing that the Senate insist on their amendments made to the bill from this House, entitled an act, to amend the act, reducing into one, all acts and parts of acts, now in force in this state, regulating proceedings in actions at law, and suits in chancery, except the amendment numbered 14, from which they recede.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to attach a part of the county of Harrison, to the county of Floyd, with an amendment.

In which he asked the concurrence of the House.

And he withdrew.

And the said amendment was read and concurred in by the House.

And on the question of concurrence, the yeas and nays being demanded by Messrs. Pennington and Mauk, the votes were as follows:

Those who voted in the affirmative were.

Messrs. Armstrong,	Green,
Bassett,	Howk,
Beckes,	Jackson,
Bently,	James,
Bullock,	Jordan,
Burnett,	Julian,
Casey,	Lucas,
Childs,	Marshall,
Clark,	Palmer,
Clendenin,	Robb,
Daniel,	Rout,
De Pauw,	Scott,
Dixon,	Smith,
Everts,	Stapp and
Glover,	Mr. Speaker—30.

And those who voted in the negative were.

Messrs. Bush,	Molder,
Dumont,	Pennington,
Hill,	Scoville,
Hunt,	Wright of R. and
Mauk,	Wright of W.—11.
M'Cleery,	

Ordered, That the Senate be informed thereof.

Mr. Dumont, from the select committee to whom was referred, the petition of John Fenton, praying for a divorce, reported that the documents accompanying the petition, contain sufficient evidence to entitle the petitioner to a divorce. But it is the opinion of the committee, that where the courts possess the power to relieve, it is impolitic for the Legislature to interfere; and therefore, the committee report unfavorably to the prayer of the petitioner.

In which report the House concurred.

On motion by Mr. Smith,

Resolved, That the House of Representatives do insist on their disagreement to the amendment made by the Senate to the bill, which originated in this House, entitled an act, supplemental to an act, to amend the act, reducing into one, all the acts and parts

of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery, and that a committee be appointed to act with such similar committee as may be appointed by the Senate, as a committee of free conference, on the disagreement of the two Houses on said amendments, and that the Senate be informed thereof, and a similar committee on their part requested. And

Thereupon,

Messrs. Smith and Hawk were appointed managers of said conference on the part of this House.

A message was received from the Senate, by Mr. Jenckes, announcing that the Senate had passed an engrossed bill, entitled an act, supplemental to an act, regulating the firing of woods, prairies and other lands.

In which they request the concurrence of this House. And he withdrew.

And the said bill was read twice, and ordered to be read a third time to-morrow.

Mr. Everts, from the committee to whom was referred, the communications from the several states, relative to an interchange of our statute laws, reported that the subject having been amply provided for, by former Legislatures, renders it unnecessary for any further provision to be made.

In which report the House concurred.

The House proceeded to consider the orders of the day.

The bill to establish a state road from Terre Haute to Fort Wayne, was read the second time, and ordered to be read a third time to-morrow.

The engrossed bill from the Senate, entitled an act, to amend the act, prescribing the mode of summoning and empannelling grand and petit jurors—approved, January 28, 1818, was read the third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill for the relief of William Har-

ington, late treasurer of Gibson county, was read the third time and rejected.

The engrossed bill, declaring Big Sand creek navigable.

And the engrossed bill, for the incorporation of the East Fork of White Water River Toll Bridge Company, were each read the third time and passed.

Ordered, That said bills be entitled acts, and that the Senate be informed thereof and their concurrence therein requested.

The bill to provide for the better security of county seminary funds, was read the third time and passed.

And on the question of its passage, the ayes and noes being demanded by Messrs. Molder and Wright of W., the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett, ✓	Jordan,
Beckes, ✓	Lane,
Bently, ✓	Mauk,
Burnett, ✓	Palmer,
Bush, ✓	Pennington,
Childs, ✓	Robb, ✓
Daniel,	Rout,
Dumont, ✓	Scott,
Everts,	Scoville, ✓
Howk,	Smith and
Jackson, ✓	Mr. Speaker—23.
James, ✓	

And those who voted in the negative were;

Messrs. Armstrong,	Hunt,
Bullock, ✓	Julian,
Casey,	Lucas,
Clark, ✓	Marshall,
Clendenin,	M'Cleery,
De Pauw, ✓	Molder,
Dixon, ✓	Stapp,
Glover	Wright of R. and
Green,	Wright of W—19.
Hill,	

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The engrossed bill for the apportionment of Senators and Representatives in the counties therein named, was read the third time and passed.

And on the question of its passage, the yeas nays being demanded by Messrs. De Pauw and Julian—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bassett,	Hill,
Bently,	Hunt,
Bullock,	Jackson,
Burnett,	Jordan,
Bush,	Julian,
Casey,	Lucas,
Childs,	Marshall,
Clark,	Mauk,
Clendenin,	Molder
Daniel,	Robb,
De Pauw,	Rout,
Dixon,	Scoville,
Dumont,	Smith,
Everts,	Stapp and
Glover,	Wright of R.—30.

And those who voted in the negative were,

Messrs. Armstrong,	Palmer,
Beckes,	Pennington,
Green,	Scott,
Howk,	Wright of W. and
James,	Mr. Speaker—11.
M'Cleery,	

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

Mr. Speaker, together with the undersigned, entered the following protest against the passage of said bill, viz:

The undersigned, in the name of themselves and

their constituents, protest most solemnly against the final passage of the bill for the apportionment of Senators and Representatives, in the counties therein named, for the following reasons.

1st. By the second section of the third article of the constitution of Indiana, it is provided, "That the General Assembly may, within two years after their first meeting, and shall, in the year 1820, and every subsequent term of five years, cause an enumeration to be made of, &c. The number of representatives shall, at the several periods of making such enumeration, be fixed by the general assembly, and apportioned among the several counties, according, &c."

2d. That, in point of fact, an enumeration was taken, and an apportionment of senators and representatives, made in the year 1820.

From which two grounds, in point of law, and fact, it results, that until another census shall be taken, and which cannot be done until the year 1825, no new apportionment, in one representation can be constitutionally and legally made.

(Signed.)

G. W. JOHNSTON,
J. HOWK,
B. V. BECKES,
HENRY GREEN.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

On motion by Mr. Palmer,

Resolved, That the House will adjourn *sine die*, on Saturday next, at ten o'clock, A. M. and that no new business will be received in the House, after this day; and that the senate be informed thereof, and a similar resolution requested on their part.

Mr. Bullock, having obtained leave, introduced a joint resolution, authorizing the attorney general, to in-

stitute a suit against D. C. Lane, late Treasurer of state.

Which was read twice, the rule being dispensed with, and ordered to be engrossed, for a third reading to-morrow.

A message was received from the Senate, by Mr. Harrison, announcing that the senate have appointed Messrs. Harrison and Ray, as a committee of free conference, on the subject of the disagreement between the two Houses, relative to the amendments made by the Senate, to the bill, entitled an act, to amend the act, entitled an act, to reduce into one, all acts, and parts of acts, regulating proceedings in actions at law, and suits in chancery.

Mr. Beckes, from the select committee, to whom was referred the account of Messrs. Thomasson and Truitt, for stationary, made the following report: that in the opinion of a majority of the committee, that the account of D. C. Lane, for \$1 93 $\frac{3}{4}$, as also the account of R. A. New, for \$4 50, should not be allowed; the committee further report against any allowance for two paper folders and two penknives delivered to J. Dill, amounting to \$4 25; the committee have made a further deduction of said account from the sum of \$157 73 $\frac{1}{4}$, to \$143 54 $\frac{1}{4}$; all of which is respectfully submitted.

Which report was read and laid on the table.

Mr. Dixon, from the committee on that subject, reported a bill declaring Eel river navigable, from the forks to the mouth thereof.

Which was twice read, the rules being dispensed with, and ordered to be engrossed for a third reading to-morrow.

The engrossed bill from the Senate, dissolving the bans of matrimony between James Fowler and Eliza his wife, late Eliza Sharp; was read the third time.

And on that question, shall this bill pass? the yeas and nays being demanded by two members—the votes were as follows.

Those who voted in the affirmative were,

Messrs. Bently,	James,
Bullock,	Lane,
Burnett,	Lucas,
Childs,	Pennington,
Daniel,	Rout,
De Pauw.	Scott,
Dixon,	Smith and
Hunt,	Mr. Speaker—16.

And those who voted in the negative were,

Messrs. Armstrong,	Jordan,
Bassett,	Julian,
Beckes,	Marshall,
Bush,	Mauk,
Casey,	M'Cleery,
Clark,	Molder,
Clendenin,	Palmer,
Dumont,	Robb,
Everts,	Scoville,
Glover,	Stapp,
Green,	Wright of R. and
Hill,	Wright of W.—25.
Jackson,	

And so the said bill was rejected.

A message was received from the Senate, by Mr. Grass, announcing that the Senate had passed an engrossed bill, entitled an act, to amend an act, entitled an act, to license and regulate taverns—approved, January 28, 1818; and a bill attaching part of the county of Perry, to the county of Spencer and for other purposes; in which bills he asked the concurrence of the House.

And the latter bill was read the first time and ordered to be read a second time to-morrow; and the former bill was read the first time and rejected.

A message was received from the Senate, by Mr. Jenckes, announcing that the Senate had passed the engrossed bill from this House, entitled an act, for

the relief of the securities of Robert Gill, late agent of Sullivan county, without amendment.

The committee of the whole, to whom was referred, the bill to amend the act, establishing a county treasurer—approved, January 1st, 1817; were discharged from the further consideration thereof.

And the said bill was ordered to be read a third time to-morrow.

The committee of the whole, were discharged from the further consideration of the bill from the Senate, entitled an act, for the relief of Westill S. Calkins, and for other purposes.

And the said bill was read the third time and passed.

Ordered, That the Senate be informed thereof.

The committee of the whole, were discharged from the further consideration of the bill, providing for the payment of commissioners on state roads. And

On motion,

The further consideration of said bill was indefinitely postponed.

The committee of the whole were discharged from the further consideration of the bill, amendatory to the several acts, regulating domestic attachments.

The said bill was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The House, according to order, now resolved itself into a committee of the whole, on the report of the committee of ways and means;

Mr. Molder in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Molder reported, that the committee of the whole had, according to order, had the said report under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Which leave was not granted.

The House, according to order, now resolved itself into a committee of the whole on the bill for the more speedy assignment of dower;

Mr. Hill in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hill reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That said bill be engrossed for a third reading on to-morrow.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, for the formation of a new county, out of Parke county, in which they request the concurrence of this House.

And he withdrew.

And the said bill was read the first time and ordered to be read a second time to-morrow.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had compared the enrolled, with the engrossed bills, of the following titles, to wit:

An act changing part of a state road, located from Mauk's Ferry to Indianapolis and for other purposes.

An act supplemental to an act, entitled an act, incorporating a county library, in the county of Dubois and other counties therein named—approved, January 28, 1818.

An act concerning salt-petre caves and for other purposes.

An act authorizing the location of the seat of justice in the county of Putnam.

An act authorizing David Stewart, administrator,

and Lucinda Wyman, administratrix, of the estate of George Wyman, deceased, to sell certain real estate.

An act providing for the safe keeping of persons charged with criminal offences.

An act to re-locate a part of the state road leading from Mount Prospect, on the Ohio river, to Petersburg.

And an act for the formation of a new county, out of the county of Marion, and north of Marion; and find them truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had concurred in the amendment made in this House, to the amendment made by the Senate, to the engrossed bill from this House, authorizing a re-issue of treasury notes.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to re-locate so much of the state road leading from the Ohio state line, through Brookville to Indianapolis, as lies between the point to which said road is opened, and Indianapolis, without amendment.

A message was received from the Senate, by Mr. Baird, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to alter the state road from Winchester to Indianapolis, without amendment.

And the House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, JANUARY 8, 1823.

House met pursuant to adjournment.

Mr. Howk, from the select committee, to whom was referred the two bills providing for the incorporation of township schools, reported said bills without amendment. And

On motion,

The further considration of said bills were postponed until the second Monday in December next.

A message was received from the Senate, by Mr. Chambers, announcing that the Senate had passed an engrossed bill, entitled an act, supplemental to an act, laying off certain state roads in this state, and appropriating \$100,000, of the fund, commonly called the three per cent. fund, for opening the same—approved, December 31, 1821; in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time, and the rules being dispensed with, the same was read a second time. And

On motion by Mr. Robb,

The said bill was amended, by striking out the word “two,” in that part of said bill, which provides for the compensation of the agent of the three per cent. fund, and inserting the words, “one and a half,” in lieu thereof.

And a division of the question being called for; the question was first taken on striking out the word, “two;” and on that question, it was decided in the affirmative; and the yeas and nays being demanded by Messrs. Robb and Casey—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Bently,
Burnett,

James,
Jordan,
Julian,
Lucas,

Bush,
Casey,
Childs,
Clark,
De Pauw,
Dixon,
Glover,
Green,
Hill,
Hunt,
Jackson,

M'Cleery,
Molder,
Palmer,
Robb,
Rout,
Scott,
Scoville,
Stapp,
Wright of W. and
Mr. Speaker—29.

And those who voted in the negative were,

Messrs. Beckes,
Clendenin,
Daniel,
Dumont,
Everts,

Lane,
Marshall,
Pennington,
Smith and
Wright of R —10.

It was then proposed to fill the blank with the words,
“one and three fourths.”

And on that question, it was decided in the negative;
and the yeas and nays being demanded by Messrs.
Robb and Rout—the votes were as follows:

Those who voted in the affirmative were.

Messrs. Beckes,
Bullock,
Bush,
Clendenin,
Daniel,
Dumont,
Everts,
Hill,

Julian,
Lane,
Marshall,
Pennington,
Scott,
Smith,
Wright of R. and
Wright of W.—16.

And those who voted in the negative were.

Messrs. Armstrong,
Bassett,
Bently,
Burnett,
Casey,
Childs,
Clark,

James,
Jordan,
Lucas,
Mauk,
M'Cleery,
Molder,
Palmer,

De Pauw,
Glover,
Green,
Howk,
Hunt,
Jackson,

Robb,
Rout,
Scoville,
Stapp and
Mr. Speaker—25.

On motion,

The blank was then filled with the words, "one and a half."

And the said bill was ordered to be read a third time to-morrow.

Mr. Smith, from the committee of free conference, on the subject matter of dispute, between the two Houses, on the amendments made by the Senate to the engrossed bill from the House of Representatives, entitled an act, supplemental to an act, reducing into one, all acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery; reported that the managers of the said conference, on the part of the two Houses, had had the subject under consideration, and had come to the following agreement.

1st. The House of Representatives will recede from their disagreement to the amendment made to said bill, by inserting a 10th section to the same.

2d. The Senate will recede from the amendment, made to said bill by inserting a 15th section to said bill.

3d. The Senate will recede from their amendment, made by adding a 16th section to said bill.

4th. The House of Representatives will recede from their disagreement to the amendment made by the Senate, by adding a 17th section to said bill.

5th. The House of Representatives will recede from their disagreement to the amendment made to said bill, by adding the 11th section to the same.

And on the question, will the House concur in the report of the committee of free conference? it was decided in the negative.

Ordered, That the Senate be informed thereof.

Mr. Howk, from the select committee, to whom was referred the petition of William M'Connel and others, of Clark county, praying that a part of said county, may be attached to the county of Scott; reported that the said committee, had had the said petition under consideration, and are of the opinion, that as the county of Clark is already reduced to its constitutional limits, that the prayer of the petitioners is unreasonable, and ought not to be granted.

In which report the House concurred.

Mr. Howk, from the joint committee for enrolled bills, reported that said committee had examined the enrolled bills, of the following titles, to wit:

An act, to amend an act—approved, January 29, 1818, entitled an act, authorizing the granting of letters testamentary and letters of administration, for the settlement of intestate estates, and for other purposes.

An act to provide for the altering state roads and for other purposes.

An act to authorize the administrators of Simpson Charlton, deceased, to re-assign the certificate of certain real estate, for the benefit of the heirs of said deceased.

An act to incorporate a public seminary at Aurora, in the county of Dearborn.

An act to authorize Polly Mosely, administratrix, of the estate of Enos Mosely, deceased, to sell the real estate of said deceased; and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

The House proceeded to consider the orders of the day.

The bill to re-locate a state road therein named; was read the second time, committed to a committee of

the whole House and made the order of the day for to-morrow.

The engrossed bill from the Senate, entitled an act, attaching part of the county of Perry, to the county of Spencer; was read the second time, and the rule dispensed with, the same was read the third time and rejected.

The engrossed bill from the Senate, to amend the act, entitled an act, regulating grist mills and millers; was read the second time. And

On motion,

The further consideration of said bill was indefinitely postponed.

The engrossed bill from the Senate, for the formation of a new county, out of the county of Parke; was read a second time, and committed to a committee of the whole House on to-morrow.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate have concurred in the report of the committee of free conference, appointed on the part of both Houses, relative to the difference existing between the two Houses in relation to the amendments made by the Senate, to an engrossed bill, entitled an act, from the House of Representatives, supplemental to an act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery.

The engrossed bill to establish a state road from Terre Haute, to Fort Wayne.

The engrossed bill from the Senate, entitled an act, to amend an act, establishing a county treasurer.

And the engrossed bill from the Senate, entitled an act, supplemental to an act, regulating the firing of wood; prairies and other lands; were each read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested to the first mentioned bill.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an engrossed bill, entitled an act, preparatory to the improvement of the navigation of White Water river.

Which bill was read the first time and rejected.

The engrossed joint resolution authorizing the attorney general, to institute a suit against Daniel C. Lane, late treasurer of state; was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill, entitled an act, to establish certain state roads therein named; and an engrossed bill, entitled an act, appointing trustees of the school lands reserved for the use of the inhabitants of the Illinois Grant.

And he withdrew.

And the said bills were each read twice, the rules being dispensed with, and ordered to a third reading to-morrow.

The engrossed bill declaring Eel river navigable from the forks to the mouth thereof, was read the third time. And

On motion,

The further consideration of the same was postponed until the second Monday in December next.

The engrossed bill for the more speedy assignment of dower, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The committee of the whole were discharged from the further consideration of the bill, attaching a part of the county of Ripley to the county of Switzerland; and the further consideration of said bill was postponed until the second Monday in December next.

The bill for the relief of the heirs of the late John Fencher, deceased, and the bill altering the western boundary of Wayne county, were taken up, and the committee of the whole were discharged from the further consideration of the same.

And the said bill was ordered to be engrossed and read a third time to-morrow.

The committee of the whole were discharged from the further consideration of the bill, to amend the act, to establish a seminary, and for other purposes.

And the act providing for additional trustees for the state seminary, and for other purposes—approved, December 31, 1821.

And the said bill was read the third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole, on the bill, to amend the act, entitled an act, to reduce into one, all acts and parts of acts, relative to crime and punishment;

Mr. Pennington in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That said bill be engrossed, and read a third time to-morrow.

Mr. Scott, from the joint committee for enrolled bills, made the following report:

That they did, on this day, lay before his Excellency, the Governor, for his approbation and signature, the following enrolled bills, entitled acts, to wit:

An act for the formation of a new county, out of the county of Marion, and north of Marion.

An act concerning salt petre caves and for other purposes.

An act authorizing David Stewart, administrator, and Lucinda Wyman, administratrix, of the estate of George Wyman, deceased, to sell certain real estate.

An act to re-locate a part of the state road leading from Mount Prospect, on the Ohio river, to Petersburg.

An act, supplemental to an act, entitled an act, incorporating a county library, in the county of Dubois and other counties therein named—approved, January 28, 1818.

An act providing for the safe keeping of persons charged with criminal offences.

An act changing part of the state road, located from Mauk's Ferry to Indianapolis, and for other purposes.

An act, supplemental to an act, entitled an act, regulating the duties of sheriffs and coroners.

An act authorizing the executors of the last will and testament of Andrew Brookes, deceased, to sell and convey certain lands therein named.

An act to authorize Jesse Upton to build a mill dam across Anderson's river.

And an act to locate the seat of justice of Putnam county.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Beckes now handed in the following protest.

The undersigned, for himself and in behalf of his constituents, most solemnly protests against concurring in the amendment made by the Senate, to the bill which passed the House of Representatives, for the re-issue of treasury notes, which amendment of the

Senate provides that treasury notes shall bear an interest of six per cent. per annum, and in which the House of Representatives have concurred, for the following reasons, to wit:

1st. Because it will subject the state to pay a large amount of interest, without profiting any except speculators and shavers. The people commonly are not arithmeticians enough to calculate the few cents of interest on passing the notes from hand to hand, in the ordinary transactions of life, and therefore they will set no greater value on them on that account; but speculators who purchase them up at a discount, will be careful to exact every cent of interest at the treasury.

2d. The value of the paper being so very uncertain, together with the interest on the notes, will be an endless source of strife, between the people and the collectors of revenue, and produce great uncertainty and confusion in the books and vouchers, in the offices of auditor and treasurer of state.

3d. The members of the present session of the General Assembly, receiving two dollars per day, in treasury notes, under the provisions of the amendment aforesaid, making notes bear six per cent. interest, will receive two dollars and twelve and one half cents per day, for their services; and thereby indirectly violate the 16th section, of the 11th article of the constitution, which says, "but no law passed, to increase the pay of the members of the General Assembly, shall take effect, until after the close of the session, at which such law shall have been passed."

4th. The members of the present General Assembly have been elected by the people, under the belief that they would be satisfied with the compensation allowed them by the present law.

5th The re-issue of treasury notes, was intended to relieve the people by their free circulation, which would thereby facilitate the collection of the revenue, instead of which, an inducement is held out to specu-

lators, to hoard them up, to the great injury of the honest citizen.

(Signed,)

B. V. BECKES.

On motion,

The committee of the whole were discharged from the further consideration of the bill from the Senate, entitled an act, to regulate the writ of ca. sa. and to abolish imprisonment for debt, except in cases of fraud.

And the said bill was read the third time and passed.

And on the question of its passage, the yeas and nays being demanded by two members—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,
Bassett,
Bush,
Casey,
Childs,
Clark,
Daniel,
De Pauw,
Dixon,
Dumont,
Everts,
Glover,

Hunt,
Jackson,
Jordan,
Lane,
Lucas,
Marshall,
Mauk,
Rout,
Scott,
Scoville,
Stapp and
Mr. Speaker—24.

And those who voted in the negative were,

Messrs. Beckes,
Bullock,
Burnett,
Clendenin,
Green,
Hill,
Howk,
James,
Julian,

McCleery,
Molder,
Palmer,
Pennington,
Robb,
Smith,
Wright of R. and
Wright of W.—17.

Ordered, That the Senate be informed thereof.

On motion,

The committee of the whole, were discharged from the further consideration of the engrossed bill from

the Senate, entitled an act, declaring Laughery creek navigable.

And the said bill was read the third time and rejected.

The House, according to order, now resolved itself into a committee of the whole, on the bill to authorize the county commissioners of the several counties in this state, when they may deem it expedient, to levy a tax on dogs in their respective counties;

Mr. James in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. James reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same, by striking out the first section thereof.

In which amendment he asked the concurrence of the House.

On motion,

The further consideration of said bill was indefinitely postponed.

The House, according to order, now resolved itself into a committee of the whole, on the bill, to amend an act, entitled an act, regulating the fees of the several officers and persons therein named—approved, January 21, 1818;

Mr. Bush in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Bush reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking it out from the enacting clause.

In which amendment he asked the concurrence of the House.

And on the question, will the House concur in said amendment? it was decided in the affirmative.

And the yeas and nays being demanded by Messrs. Beckes and Robb—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,

Beckes,

Bullock,

Burnett,

Childs,

Clark,

Clendenin,

Daniel,

De Pauw.

Dixon,

Dumont,

Glover,

Green,

Hill,

Howk,

Hunt,

Jordan,

Julian,

Lane,

Marshall,

Mauk,

Molder,

Palmer,

Scoville,

Stapp,

Wright of R.

Wright of W. and

Mr. Speaker—28.

And those who voted in the negative were,

Messrs. Bassett,

Bush,

Casey,

Everts,

Jackson,

James,

Lucas,

M'Cleery,

Pennington,

Robb,

Rout and

Smith—12.

On motion,

The further consideration of said bill was indefinitely postponed.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill from this House, entitled an act, amendatory to the act, entitled an act, authorizing the building of a state prison, and for other purposes, with an amendment.

In which he asked the concurrence of the House.

On motion,

The House concurred in said amendment.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the

engrossed bill from this House, entitled an act for the re-location of the seat of justice of Scott county, with some amendments thereto, in which he asked the concurrence of this House.

And he withdrew.

And the said amendments were read and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Craig, announcing that the Senate had passed the engrossed bill from this House, entitled an act declaring Big Sand creek navigable, without amendment.

The House, according to order, now resolved itself into a committee of the whole, on the bill to repeal the 6th section of the act, establishing a State Medical Society;

Mr. De Pauw in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. De Pauw reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in the same.

Ordered, That said bill be engrossed and read a third time to-morrow,

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed an engrossed bill from this House, entitled an act, for the re-location of the seat of justice of Floyd county, without amendment.

On motion,

The committee of the whole were discharged from the further consideration of the bill, to repeal so much of the revenue laws of this state, as authorizes a poll tax. And

On motion,

The further consideration of said bill was indefinitely postponed.

And on that question, the yeas and nays being demanded by Messrs. Everts and De Pauw—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,	Jackson,
Bassett,	James,
Bullock,	Jordan,
Burnett,	Julian,
Bush,	Lane,
Casey,	Marshall,
Childs,	M'Cleery,
Clark,	Molder,
Clendenia,	Palmer,
Dumont,	Pennington,
Everts,	Smith,
Glover	Wright of R. and
Hill,	Wright of W—27.
Howk,	

And those who voted in the negative were,

Messrs. Beckes,	Mauk,
Bently,	Robb,
De Pauw,	Rout,
Dixon,	Scott,
Dumont,	Scoville,
Green,	Stapp and
Hunt,	Mr. Speaker—14.

A message was received from the Senate by Mr. Johnson, announcing that the Senate had passed an engrossed bill, entitled an act, for the benefit of improvers of unsold town lots in Indianapolis; in which they request the concurrence of this House.

And the said bill was read twice, the rule being dispensed with, and ordered to be read a third time tomorrow.

A message was received from the Senate, by Mr. Baird, announcing that the Senate had passed an en-

grossed bill, entitled an act, for the more easy vacation of roads in certain cases; in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time and rejected.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Senate, to amend the act, for the better regulation of the militia of the state of Indiana;

Mr. Glover in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Glover reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

Which amendments he handed in at the clerks' table, where they were again read and concurred in by the House, except the second amendment.

And on the question of concurring in the second amendment made to said bill, which was made by striking out the third section thereof, which provides that the Adjutant General shall reside at the seat of government, it was decided in the negative; and the yeas and nays being demanded by Messrs. Scott and Lane—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Armstrong,

Bullock,

Burnett,

Casey,

Childs,

Clark,

Dixon,

Glover,

Green,

Howk,

Hunt,

Jackson,

Jordan,

Julian,

Pennington,

Robb,

Stapp and

Wright of W.—18.

And those who voted in the negative were;

Messrs. Bassett,	Marshall,
Bush,	M'Cleery,
Clendenin,	Molder,
Daniel,	Palmer,
De Pauw,	Rout,
Dumont,	Scott,
Everts,	Scoville,
Lane,	Smith and
Lucas,	Mr. Speaker—18.

There being an equal number of votes in the affirmative and negative, the motion to concur failed.

Ordered, That said bill be read a third time to-morrow.

And the House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING, JANUARY 9, 1823.

House met pursuant to adjournment.

On motion by Mr. Scoville,

The House re-considered the vote taken yesterday, rejecting the engrossed bill from the Senate, entitled an act, declaring Laughery creek navigable; and the said bill was re-committed to a committee of the whole House, and made the order of the day for this day.

On motion by Mr. Beckes,

Resolved, That the members of this House will, on the adjournment, use their exertions to have the stationary on hand at the time of adjournment, brought into the House and placed in the hands of the clerks, who shall place the same in the hands of the secretary of state, taking his receipt therefor, for safe keeping; which receipt shall be deposited by them with the treasurer of state, who shall lay the same before the next General Assembly, on the 1st Monday in December next.

Mr. Rout asked leave to introduce a resolution, appointing a joint committee, to memorialize Congress

on the subject of giving further relief to the purchasers of public lands.

Which leave was not granted.

The House proceeded to consider the orders of the day.

The engrossed bill for the benefit of the heirs of the late John Feucher, deceased.

The bill altering the western boundary of Wayne county.

The bill to amend the act, reducing into one, all acts and parts of acts, relative to crime and punishments.

The bill to amend the act, authorizing a State Medical Society.

The engrossed bill from the Senate, to amend the act, for the better regulation of the militia of the state of Indiana.

The engrossed bill supplemental to an act, entitled an act, for laying off certain state roads in this state, and appropriating \$100,000, of the fund, commonly called the three per cent. fund, for opening the same.

The engrossed bill from the Senate, entitled an act, to establish certain state roads therein named; and the engrossed bill from the Senate, entitled an act, for the benefit of improvers of reserved lots in the town of Indianapolis; were taken up and each read the third time and passed.

Ordered, That the Senate be informed thereof; and their concurrence requested in those bills aforesaid, which originated in this House.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had adopted a joint resolution respecting the national road, in which he requested the concurrence of this House.

And he withdrew.

The said resolution was read and adopted.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an en-

engrossed bill, entitled an act, to legalize the proceedings of the circuit courts of the counties of Franklin and Union, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read twice, the rule being dispensed with, and ordered to be read a third time tomorrow.

A message was received from the Senate, by Mr. Gray, announcing that the Senate had passed an engrossed bill, entitled an act, defining the duties of supervisors of county roads in the Lawrenceburgh district, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time and rejected.

The engrossed bill from the Senate, entitled an act, appointing trustees of the school lands, reserved for the use of the inhabitants of the Illinois Grant; was read the third time. And

On motion by Mr. Armstrong,

The further consideration of said bill was postponed until the first Monday in December next.

The House, according to order, now resolved itself into a committee of the whole, on the bill making specific appropriations;

Mr. Jordan in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Jordan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, had directed him to ask leave to sit again.

Whereupon,

Leave was granted.

A message was received from the Senate, by Mr.

Thompson, announcing that the Senate had passed an engrossed bill from this House, entitled an act, apportioning senators and representatives in certain counties therein named, with an amendment, in which he asked the concurrence of this House.

Whereupon,

The said amendment was considered and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Clark, announcing that the Senate had passed an engrossed bill, entitled an act, relative to the three per cent. fund, in which he asked the concurrence of this House.

And he withdrew.

And the said bill was read twice, the rules being dispensed with, and ordered to be read a third time to-morrow.

A message was received from the Senate, by Mr. Jenckes, announcing that the Senate had passed the engrossed bill from this House, entitled an act, to locate a state road from Terre Haute, to Fort Wayne, with an amendment, in which he asked the concurrence of this House.

And the said amendment was taken up, considered and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed the engrossed bill from this House, entitled an act, incorporating the East Fork of White Water Toll Bridge Company, without amendment.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

A message was received from the Senate, by Mr.

Graham, announcing that the Senate had passed a joint resolution relative to the appointment of commissioners, to negotiate with commissioners, to be appointed by the state of Kentucky, in which he asked the concurrence of this House.

And he withdrew.

And the said resolution was read the first time and ordered to be read a second time to-morrow.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had passed an engrossed bill, entitled an act, to locate a state road from Lawrenceburgh to Brookville, from thence to Connersville, thence to Centreville, thence to Winchester and from thence to Fort Wayne, in which he asked the concurrence of this House.

And the said bill was read twice, the rule being dispensed with, and ordered to be read a third time to-morrow.

A message was received from the Senate, by Mr. Daniel, announcing that the Senate had passed the engrossed bill from this House, entitled an act, for the more speedy assignment of dower, with some amendments thereto, in which he asked the concurrence of this House.

And the said amendments were read and concurred in by the House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Baird, announcing that the Senate had passed the engrossed bill from this House, entitled an act, for the benefit of the heirs of the late John Fenchel, deceased, without amendment.

A message was received from the Senate, by Mr. Baird, announcing that the Senate had passed the engrossed bill from this House, entitled an act, altering the western boundary of Wayne county, with an amendment, in which he asked the concurrence of this House.

And the said amendment was considered and concurred in by this House.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate have concurred in the amendment marked (1) and the amendments numbered sections 11, 12 and 13, made by this House to the bill from the Senate, to amend the act for the better regulation of the militia of the state of Indiana; and that the Senate refuse to concur in all the rest of the amendments made by this House to said bill; the Senate had concurred in the amendments made to the bill from the Senate to establish certain state roads therein named; and that the Senate refuse to concur in the amendments made by this House to the bill from the Senate, supplemental to an act, authorizing the laying off certain state roads in this state, and appropriating \$100,000, of the fund, commonly called the three per cent. fund, for opening said roads—approved, December 31, 1821.

And he withdrew.

On motion,

Resolved, That this House will insist on their amendments to the aforesaid bills.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Grass, announcing that the Senate had passed a bill in addition to the act, entitled an act, authorizing the laying off certain state roads in this state, and appropriating \$100,000, of the fund, commonly called the three per cent. fund, for opening the said roads—approved, December 31, 1821; to which he asked the concurrence of this House.

And he withdrew.

And the said bill was read the first time. And

On motion,

The further consideration of said bill was indefinitely postponed.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed the bill from this House, entitled an act, to amend the act, authorizing a State Medical Society, in the state of Indiana, with an amendment, in which he asked the concurrence of this House.

And the said amendment was read and concurred in by the House.

Ordered, That the Senate be informed thereof.

The House, according to order, now resolved itself into a committee of the whole, on the bill making specific appropriations;

Mr. Jordan in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Jordan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

Which admendments he handed in at the clerk's table; when they were again read and concurred in by the House.

And on the question of concurrence in the amendment made in committee of the whole, which makes an appropriation to the Secretary of state; the yeas and nays being demanded by Messrs. Robb and M^r. Cleery—the votes were as follows:

Those who voted in the affirmative were.

Messrs. Bently,	Hunt,
Bullock,	Jackson,
Burnett,	Jordan,
Bush,	Julian,
Clark,	Scott,
Dumont,	Smith,
Everts,	Stapp,
Glover,	Wright of R. and
Green,	Mr. Speaker—19.
Hill,	

And those who voted in the negative were.

Messrs. Armstrong,
Beckes,
Casey;
Childs.
Clendenin,
Dixon,
Howk,
James,
Lucas,

Marshall,
M'Cleery,
Molder,
Palmer,
Pennington,
Robb,
Rout,
Scoville and
Wright of W.—18.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Senate, entitled an act, for the formation of a new county, out of the county of Parke;

Mr. Pennington in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having had time to go through the same, directed him to ask leave to sit again.

On motion,

Leave was granted.

And the House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY 10, 1823.

House met pursuant to adjournment.

Mr. Smith, from the committee of free conference, reported that the managers on the part of the two Houses, on the difficulties existing between the two Houses, in relation to the amendments made by the Senate, to the engrossed bill from this House, en-

titled an act, supplemental to an act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law, and suits in chancery, had on a second meeting and conference, entered into the following agreement, to wit:

1st. The Senate will recede from all their amendments made to said bill, which have not been concurred in by the House of Representatives, except their amendment made by inserting the 11th section to said bill.

And the House of Representatives will recede from their disagreement to said amendment.

On motion,

The House concurred in the report of the committee of free conference.

Ordered, That the Senate be informed thereof.

On motion by Mr. Beckes,

The vote heretofore taken rejecting the bill, authorizing the agent at Indianapolis, to sell three additional brick yards in said town, and for other purposes, was re-considered.

And the said bill was re-committed to a committee of the whole House, and made the order of the day for this day.

Mr. Lucas asked leave to introduce a joint resolution adjourning the General Assembly until the first Monday in December next, to meet at the town of _____ in the county of _____

Which leave was not granted.

The House proceeded to consider the orders of the day.

The joint resolution from the Senate, for the appointment of commissioners, to negotiate with commissioners to be appointed by the state of Kentucky, was read the second time, committed to a committee of the whole House, and made the order of the day for this day.

A message was received from the Senate, by Mr.

Chambers, announcing that they had passed an engrossed bill, entitled an act, to revive and continue in force an act, entitled an act, to establish a permanent road from Leavenworth to Fredonia, thence to Terre Haute—approved, January 2, 1822:

In which he asked the concurrence of this House.

And the said bill was read the first time, and the rules being dispensed with, the same was read a second and third time and passed.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had concurred in the report of the managers from the committee of free conference, at their second meeting, on the subject matter of dispute between the two Houses, in relation to the amendments made by the Senate, to the bill from the House of Representatives, entitled an act, supplemental to an act, reducing into one, all acts and parts of acts, now in force in this state, regulating proceedings in actions at law, and suits in chancery.

A message was received from the Senate, by Mr. Ray, announcing that the Senate had receded from their disagreement to the amendments made by the House of Representatives, to the engrossed bill from the Senate, entitled an act, to amend the act, for the better regulation of the militia of the state of Indiana, and for other purposes.

The following message was received from the Governor, by Mr. Payne, his private secretary.

Mr. Speaker;

I am directed by his Excellency, the Governor, to announce to this House, that he did, on yesterday, approve and sign—

An act to authorize the administrators of Simpson Charlton, deceased, to re-assign the certificate of certain real estate, for the benefit of the heirs of said deceased.

An act, to amend an act—approved, January 29,

1818, entitled an act, authorizing the granting of letters testamentary, and letters of administration, for the settlement of intestate estates, and for other purposes.

An act to incorporate a public seminary at Aurora, in the county of Dearborn.

An act to authorize Polly Mosely, sole administratrix of Enos Mosely, deceased, to sell the real estate of said deceased.

And an act to provide for the altering of state roads, and for other purposes.

All of which originated in the House of Representatives.

Mr. Speaker,

I am also directed to announce to this House, that his Excellency did, on the 8th instant, approve and sign—

An act concerning salt petre caves, and for other purposes.

An act to authorize Jesse Upton, to build a mill dam across Anderson's river.

An act, supplemental to an act, entitled an act, incorporating a county library, in the county of Dubois, and other counties therein named—approved, January 28, 1818.

An act authorizing the executors of the last will and testament of Andrew Brookes, deceased, to sell and convey certain lands therein named.

And an act, supplementary to an act, entitled an act, regulating the duties of sheriffs and coroners.

All of which originated in the House of Representatives.

The engrossed bill making specific appropriations, was read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Se-

nate, entitled an act, for the formation of a new county, out of the county of Parke;

Mr. Pennington in the chair,
And after some time spent therein,

Mr. Speaker resumed the chair,
And Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made sundry amendments to the same.

In which amendments he asked the concurrence of the House. And

On motion,
The House concurred in said amendments.

And on that question, the yeas and nays being demanded by Messrs. Scott and Robb, were as follows:

Those who voted in the affirmative were,

Messrs. Casey,	Hunt,
Clark,	Lane,
Clendenin,	Mauk,
Daniel,	Molder,
Dumont,	Robb,
De Pauw,	Rout and
Glover,	Scoville—14.

And those who voted in the negative were,

Messrs. Armstrong,	Jordan,
Bassett,	Julian,
Beckes,	Lucas,
Bently,	Marshall,
Bullock,	M ^c Cleery,
Burnett,	Palmer,
Bush,	Pennington,
Childs,	Scott,
Dixon,	Smith,
Everts,	Stapp,
Green,	Wright of R.
Hill,	Wright of W. and
Howk,	Mr. Speaker—27.
Jackson,	

On motion by Mr. Howk,

The further consideration of said bill was postponed until the second Monday in December next.

A message was received from the Senate, by Mr. Graham, announcing that the Senate insist on their disagreement to the amendments made by this House, to the bill from the Senate, entitled an act, supplemental to an act, authorizing the laying off certain state roads in this state, and appropriating \$100,000 of the fund, commonly called the three per cent. fund, for opening the said roads.

And he withdrew. And

On motion,

Resolved, That this House will recede from their said amendments to said bill.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Slaughter, announcing that the Senate had passed the engrossed bill from this House, providing for the distribution of the laws and journals of the present General Assembly, with some amendments to the same.

In which he asked the concurrence of this House.

And he withdrew.

And the said amendments were read and concurred in by this House.

Ordered, That the Senate be informed thereof.

Mr. Beckes asked leave to lay before the House, a communication from sundry citizens of Knox county, remonstrating against the sale of the seminary lands in this state.

Which leave was not granted.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had compared the enrolled, with the engrossed bills, of the following titles, to wit:

An act, to amend an act, entitled an act, establishing a county treasurer—approved, January 1, 1817.

An act for the regulation of the writ of *habeas corpus* ad sa-

tisfaciendum, and to abolish imprisonment for debt, unless for fraud.

An act, supplemental to an act, regulating the firing of woods, prairies and other lands.

An act, to revive and continue in force an act, entitled an act, locating certain permanent roads therein named, and for other purposes—approved, January 22, 1820, and the several acts amendatory thereto.

An act, to amend an act, regulating the mode of summoning and empannelling grand and petit jurors—approved, January 28, 1818.

An act for the benefit of improvers of unsold town lots, in the town of Indianapolis.

An act to establish certain roads therein named.

An act authorizing the state agent to rent out the improved lands on the donation at Indianapolis, and for other purposes.

An act authorizing the agent of the Rock Lick section to grant a certain lease therein named.

An act to alter the state road from Winchester to Indianapolis.

An act attaching part of the county of Harrison, to the county of Floyd.

An act for the relief of Westill S. Calkins, and for other purposes.

An act, amendatory to the act, entitled an act, authorizing the building of a state prison, and for other purposes.

An act to re-locate so much of the state road, leading from the Ohio line through Brookville, to Indianapolis, as lies between that point to which the said road is opened, and Indianapolis.

An act to re-locate the seat of justice of Floyd county.

An act for the apportionment of Senators and Representatives in the counties therein named.

An act for the relief of the securities of Robert Gill, late agent of the county of Sullivan.

An act for the benefit of the heirs of the late John Fencher, deceased.

An act appointing commissioners to re-locate the seat of justice of Scott county, and for other purposes therein named, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

And the House adjourned until half past 1 o'clock this afternoon.

Half past 1 o'clock, P. M.

House met pursuant to adjournment.

Mr. James obtained leave of absence, until the end of the present session.

The House, according to order, now resolved itself into a committee of the whole, on the bill making general appropriations for the year 1823;

Mr. Bassett in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Bassett reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same.

In which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

Ordered, That said bill be engrossed for a third reading to day.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the following resolution:

Resolved, That the President of the Senate, and the Speaker of the House of Representatives, do adjourn their respective Houses, to-morrow at 10 o'clock, A. M.

agreeably to a resolution of the House of Representatives.

And he withdrew.

The House, according to order, now resolved itself into a committee of the whole, on the bill to authorize the agent at Indianapolis, to sell three additional brick yards, and for other purposes;

Mr. Beckes in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Beckes reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

The said bill was then read the third time and passed.

Ordered, That said bill be entitled an act, and that the Senate be informed thereof, and their concurrence requested.

The House, according to order, now resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled an act, to amend the several acts, regulating fees;

Mr. Howk in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Howk reported, that the committee of the whole had, according to order, had the said bill under consideration, and had directed him to report the same without amendment.

The said bill was then read the third time and passed.

And the yeas and nays being demanded by Messrs. Bassett and Robb—the votes were as follows;

Those who voted in the affirmative were,

Messrs. Beckes,	Julian,
Bently,	Lucas,
Burnett,	Marshall,
Childs,	Molder,
Clark,	Palmer,
Clendenin,	Pennington,
Daniel,	Rout,
De Pauw.	Smith.
Dixon,	Stapp,
Glover,	Wright of R.
Hill,	Wright of W. and
Jordan,	Mr. Speaker—24.

And those who voted in the negative were,

Messrs. Armstrong,	Howk,
Bassett,	Hunt,
Bush,	Mauk,
Dumont,	M'Cleery,
Everts,	Robb and
Green,	Scoville—12.

Ordered, That the Senate be informed thereof.

On motion,

The committee of the whole were discharged from the further consideration of the joint resolution from the Senate, relative to the appointment of commissioners to negotiate with commissioners to be appointed by the state of Kentucky. And

On motion by Mr. Bassett,

The said resolution was amended by striking it out from the word "resolved," and inserting in lieu thereof the following, to wit:

"That it is inexpedient to authorize the Governor of this state to appoint commissioners, to meet such commissioners as may be appointed by the Governor of the state of Kentucky, to settle any difficulty now existing between said states, relative to fugitives from justice and labor.

Resolved, That this legislature view with deep re-

gret, the origin or continuance of any cause of disquiet to the citizens of either of said states, or that would tend to impair or interrupt that harmony so essentially necessary to the happiness and prosperity of our common country.

Resolved, That the Governor of this state be authorized, and he is hereby requested to correspond with the Governor of the state of Kentucky, on the subject of the differences between the two states relative to fugitives from justice and labour, in such manner as he may think will most conduce to the harmony and dignity of said states.

And the said resolution was read the third time as amended and passed.

Ordered, That the Senate be informed thereof and their concurrence requested to the amendment made by this House to the same.

On motion by Mr. Pennington,

The House reconsidered the vote heretofore taken, postponing the engrossed bill from the Senate, authorizing the Governor to rent such buildings in Corydon, as he may deem necessary for his accommodation.

Which bill having been amended by consent, was then read a third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence requested in the amendments made to the same by this House.

The engrossed bill to re-locate certain state roads therein named; was read the third time and passed.

Ordered, That the said bill be entitled an act, and that the the Senate be informed thereof and their concurrence therein requested.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Senate, declaring Laughery creek navigable;

Mr. Childs in the chair;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Childs reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

On motion,

The title of the said bill was amended, and the same was passed.

Ordered, That the Senate be informed thereof and their concurrence requested to the amendments made to said bill by this House.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate had passed the engrossed bill, entitled an act, providing for judicial circuits, and fixing the times of holding courts therein; in which he asked the concurrence of this House.

And the said bill was read twice, committed to a committee of the whole House and made the order of the day for this day.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had passed the engrossed bill from this House, entitled an act, making general appropriations for the year 1823, without amendment. And had passed a bill, entitled an act, for the relief of the collectors of Clark and Martin counties, in which he asked the concurrence of this House.

And the House adjourned until 7 o'clock, this evening.

7 o'clock, P. M.

House met pursuant to adjournment.

The House, according to order, now resolved itself into a committee of the whole, on the bill from the Senate entitled an act providing for judicial circuits, and fixing the times of holding courts therein;

Mr. Pennington in the chair;
And after some time spent therein,

Mr Speaker resumed the chair,

And Mr. Pennington reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments to the same, in which he asked the concurrence of the House.

On motion,

The House concurred in said amendments generally.

And the said bill was then read the third time and passed as amended.

Ordered, That the Senate be informed thereof, and their concurrence requested in the amendments made to said bill by this House.

A message was received from the Senate, by Mr. Clark, announcing that the Senate had passed the engrossed bill from this House, authorizing the agent at Indianapolis to sell three additional brick yards, and for other purposes, without amendment.

The engrossed bill from the Senate, entitled an act, for the relief of the collectors of the counties of Martin and Clark, was taken up and read the first time.

And

On motion by Mr. Beckes,

The said bill was rejected.

Mr. Glover obtained leave of absence until the end of the present session.

Mr. Scott, from the joint committee for enrolled bills, made the following report:

That they did, on this day, lay before his Excellency, the Governor, for his approbation and signature, the following enrolled bills; entitled acts, to wit:

An act authorizing the agent of the Rock Lick section, to grant a certain lease therein named.

An act for the relief of Westill S. Calkins, and for other purposes.

An act for the benefit of improvers of unsold town lots, in the town of Indianapolis.

An act supplemental to an act, regulating the firing of woods, prairies and other lands.

An act attaching part of the county of Harrison to the county of Floyd.

An act to amend an act, entitled an act, establishing a county treasurer—approved, January 1, 1817.

An act for the regulation of the writ of *habeas corpus* ad satisfaciendum, and to abolish imprisonment for debt, unless for fraud.

An act to establish certain roads therein named.

An act to revive and continue in force, an act, entitled an act, locating certain permanent roads therein named, and for other purposes—approved, January 22, 1820, and the several acts amendatory thereto.

An act to amend an act, regulating the mode of summoning and empannelling grand and petit jurors—approved, January 28, 1818.

An act to alter the state road from Winchester to Indianapolis.

An act to re-locate the seat of justice of Floyd county.

An act appointing commissioners to re-locate the seat of justice of Scott county, and for other purposes therein named.

An act authorizing the state agent, to rent out the improved lands on the donation at Indianapolis, and for other purposes.

An act amendatory to the act, entitled an act, authorizing the building of a state prison, and for other purposes.

An act for the benefit of the heirs of the late John Fencher deceased.

An act to re-locate so much of the state road, leading from the Ohio line, through Brookville to Indianapolis, as lies between that point to which the said road is opened; and Indianapolis.

An act for the apportionment of senators and representatives in the counties therein named.

An act for the relief of the securities of Robert Gill, late agent of the county of Sullivan.

And the House adjourned until to-morrow morning, 8 o'clock.

SATURDAY MORNING, JANUARY 11, 1823.

House met pursuant to adjournment.

Mr. Bassett introduced a joint resolution relative to courts; which was read three times, the rules being dispensed with, and adopted.

Ordered, That the Senate be informed thereof, and their concurrence therein requested.

A message was received from the Senate by Mr. Johnson, announcing that the Senate had passed the engrossed bill from this House, to re-locate certain roads therein named, without amendment.

A message was received from the Senate, by Mr. Sholtz, announcing that the Senate had concurred in the amendments made to the bill, authorizing the Governor, to rent such buildings in the town of Corydon, as may be necessary for his accommodation.

A message was received from the Senate, by Mr. Craig, announcing that the Senate had concurred in the amendments made to the bill from the Senate, declaring Laughery creek navigable.

The following message was received from the Governor, by Mr. Payne, his private secretary.

Mr. Speaker,

I am directed by his Excellency, the Governor, to announce to this House, that he did, on yesterday, approve and sign—

An act appointing commissioners to re-locate the seat of justice of Scott county, and for other purposes therein named.

An act authorizing the agent of the Rock Lick section to grant a certain lease therein named.

An act, to revive and continue in force an act, entitled an act, locating certain permanent roads therein named, and for other purposes—approved, January 22, 1820, and the several acts amendatory thereto.

An act to re-locate the seat of justice of Floyd county.

An act attaching part of the county of Harrison, to the county of Floyd.

An act for the relief of the securities of Robert Gill, late agent of the county of Sullivan.

An act to alter the state road from Winchester to Indianapolis.

An act, amendatory to the act, entitled an act, authorizing the building of a state prison, and for other purposes.

An act for the apportionment of Senators and Representatives in the counties therein named.

An act to re-locate so much of the state road, leading from the Ohio line through Brookville, to Indianapolis, as lies between that point to which the said road is opened, and Indianapolis.

An act for the benefit of the heirs of the late John Fencher, deceased.

An act authorizing the state agent to rent out the improved lands on the donation at Indianapolis, and for other purposes.

All of which originated in the House of Representatives.

A message was received from the Senate, by Mr. Graham, announcing that the Senate had passed the engrossed bill from this House, entitled an act, making specific appropriations, with some amendments to the same, in which he asked the concurrence of this House.

And the said amendments were read and concurred in.

And on the question of concurring in the amendment made by the Senate, for an appropriation of \$2,500, for the court house at Indianapolis; the yeas and nays being demanded by Messrs. Stapp and Beckes—the votes were as follows:

Those who voted in the affirmative were,

Messrs. Bently,	Julian,
Burnett,	Lucas.
Clark,	M'Cleery,
Clendenin,	Molder,
Daniel,	Palmer,
De Pauw,	Robb,
Dumont,	Rout,
Everts,	Scott,
Green,	Smith and
Hill,	Wright of R.—21.
Howk,	

And those who voted in the negative were,

Messrs. Armstrong,	Dixon,
Bassett,	Jackson,
Beckes,	Jordan,
Bullock,	Marshall,
Bush,	Mauk,
Casey,	Stapp and
Childs.	Mr. Speaker—14.

Ordered, That the Senate be informed thereof.

Mr. Stapp took the chair, the Speaker having retired.

On motion by Mr. Bullock,

The following resolution was unanimously adopted.

Resolved, That this House do highly approve of the dignified and impartial manner, in which General W. Johnston, has discharged his duty, as Speaker of the House of Representatives, during the present session, and that this House feel a lively interest in his future happiness and welfare.

A message was received from the Senate, by Mr. Thompson, announcing that the Senate had concurred in the amendments made by this House, to the en-

grossed bill from the Senate, entitled an act, to provide for judicial circuits, and fixing the times of holding courts therein.

A message was received from the Senate, by Mr. Ray, announcing that the Senate have refused to concur in the amendment made by this House to the joint resolution from the Senate, appointing commissioners, to negotiate with commissioners, to be appointed by the state of Kentucky.

On motion,

Resolved, That this House insist on the amendment by them made, to the said resolution.

A message, was received from the Senate, by Mr. Ray, announcing that the Senate have adopted the following resolution, to wit:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee, appointed on the part of the House of Representatives, to wait upon his excellency the Governor, and inform him that the two Houses have completed the legislative business before them, and are now ready to adjourn; and also to enquire of him, whether he has any farther business to lay before either branch of the legislature.

That Messrs. Ray and Jenckes be appointed said committee, on the part of the Senate.

On motion,

Resolved, That a committee of this House, be appointed, to act with the committee of the Senate, pursuant to the request expressed in the resolution aforesaid.

Whereupon,

Messrs. Scott and Hawk were appointed a committee on the part of this House.

On motion,

Resolved, That a committee be appointed to wait upon the Rev. Benjamin Adams, and request his attendance, in the Representatives' chamber, for the

purpose of closing the present session of the General Assembly, with solemn prayer, pursuant to the resolution above adopted; and that the Rev. Henry D. Palmer be that committee.

A message was received from the Senate, by Mr. Harrison, announcing that the Senate have concurred in the amendment made by the House of Representatives, to the amendment made by the Senate, to the bill making specific appropriations for the year 1823; and that they insist on the amendments made to the said bill by the Senate.

Mr. Pennington moved that the House do insist on their disagreement to the said amendments.

Which motion was determined in the negative.

Resolved, That this House recede from their disagreement to the said amendments.

Ordered, That the Senate be informed thereof.

Mr. Scott, from the joint committee for enrolled bills, reported that said committee had compared the enrolled, with the engrossed bills, of the following titles, to wit:

An act to provide for the distribution of the laws and journals of the present General Assembly.

An act for the altering of the western boundary line of Wayne county, and for other purposes therein named.

An act declaring Big Sand creek a public highway.

An act making general appropriations for the year 1823.

An act, supplemental to an act, to amend an act, entitled an act, to regulate the jurisdiction and duties of justices of the peace—approved, January 28, 1818.

An act to authorize the agent of state, to sell two additional brick yards at the town of Indianapolis.

An act, supplemental to an act, to amend the act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery.

An act to re-locate a part of the state road from Evansville to Terre Haute.

An act to limit the stay of execution and for other purposes.

An act, to amend the act, for the more speedy assignment of dower.

An act, in addition to an act, declaring certain streams therein named public highways—approved, January 17, 1820.

An act for the incorporation of the East Fork of White Water Toll Bridge Company.

An act to establish a state road from Terre Haute to Fort Wayne.

An act, to amend the act, entitled an act, authorizing a State Medical Society.

An act to re-locate certain state roads therein named.

An act to authorize the re-issuing of treasury notes.

A joint resolution authorizing the public printer to print certain acts therein named, and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

And the House adjourned until 2 o'clock, this afternoon.

2 o'clock P. M.

House met pursuant to adjournment.

Messrs. Green, Molder and Marshall, obtained leave of absence.

And the House adjourned until 6 o'clock this evening.

6 o'clock, P. M.

House met pursuant to adjournment.

Mr. Scott, from the joint committee for enrolled

bills, reported that the said committee had compared the enrolled with the engrossed bills, of the following titles, to wit:

An act, to revive and continue in force an act, entitled an act, to re-establish a permanent road from Fredonia or Leavenworth, to Terre Haute—approved, January 2, 1822.

An act to locate a state road from Lawrenceburgh to Brookville, from thence to Connersville, thence to Winchester, and thence to Fort Wayne.

An act to provide for judicial circuits, and fixing the times of holding courts therein, and for other purposes.

An act to authorize the Governor to rent such buildings, as may be necessary for his accommodation, in the town of Corydon.

An act making specific appropriations for the year 1823.

An act, to amend an act, for the better regulation of the militia of the state of Indiana, and for other purposes.

An act, supplemental to an act, entitled an act, authorizing the laying off certain state roads in this state, and appropriating \$100,000 of the fund, commonly called the three per cent. fund for opening the same—approved, December 31, 1821.

An act to legalize the proceedings of the Franklin and Union circuit courts, relative to the partition of certain real estate, among the heirs of Thomas Harper, deceased,

An act relative to the three per cent. fund.

A joint resolution relative to the national road; and found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That said bills be carried to the Senate, for the signature of the President thereof.

Mr. Scott, from the joint committee for enrolled bills, made the following report:

That they did, on this day, lay before his Excellency, the Governor, for his approbation and signature, the following enrolled bills, entitled acts, to wit:

An act to amend the several acts, regulating fees.

An act, to revive and continue in force an act, entitled an act, to re-establish a permanent road from Fredonia or Leavenworth, to Terre Haute—approved, January 2, 1822.

An act to locate a state road from Lawrenceburgh to Brookville, from thence to Connersville, thence to Winchester, and thence to Fort Wayne.

An act to provide for judicial circuits, and fixing the times of holding courts therein, and for other purposes.

An act to authorize the Governor to rent such buildings in the town of Corydon, as may be necessary for his accommodation.

An act making specific appropriations for the year 1823.

An act to amend an act, for the better regulation of the militia of the state of Indiana, and for other purposes.

An act supplemental to an act, entitled an act, authorizing the laying off certain state roads in this state, and appropriating \$100,000 of the fund, commonly called the three per cent. fund, for opening the same—approved, December 31, 1821.

An act to legalize the proceedings of the Franklin and Union circuit courts, relative to the partition of certain real estate, among the heirs of Thomas Harper, deceased.

An act relative to the three per cent fund.

And a joint resolution relative to the national road.

Mr. Scott, from the joint committee, appointed to wait on his excellency the Governor, made the following report:

Mr. Speaker,

The committee, appointed on the part of this House, to act with a similar committee, on the part of the Senate, to wait upon his excellency the Governor, and inform him, that the two Houses have closed their Legislative business, and are now ready to adjourn, and enquire whether he has any communications to make to either branch of the Legislature, have performed that duty, and received for answer, that his excellency had no communications to make, only to report some enrolled bills, which he would do through his private secretary, this evening.

The following message was received from the Governor, by Mr. Payne, his private secretary.

Mr. Speaker,

I am directed by his Excellency, the Governor, to announce to this House, that he did, on this day, approve and sign—

An act for the altering of the western boundary line of Wayne county, and for other purposes therein named.

An act to provide for the distribution of the laws and journals of the present General Assembly.

An act declaring Big Sand creek, a public highway.

An act to authorize the agent of state, to sell two additional brick yards, at the town of Indianapolis.

An act to amend the acts for the more speedy assignment of dower.

An act making general appropriations for the year eighteen hundred and twenty three.

An act to limit the stay of execution, and for other purposes.

An act supplemental to an act, to amend the act, reducing into one, all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery.

An act to re-locate a part of the state road from Evansville to Terre Haute.

An act supplemental to an act, to amend an act, entitled an act, to regulate the jurisdiction and duties of justices of the peace—approved, January 20, 1818.

An act to establish a state road from Terre Haute to Fort Wayne.

An act to amend the act, entitled an act, authorizing a State Medical Society.

An act authorizing the re-issuing of treasury notes.

An act for the incorporation of the East Fork of White Water Toll Bridge Company.

An act to re-locate certain state roads therein named.

An act making specific appropriations for the year 1823.

And a joint resolution, authorizing the public printer, to print certain acts therein named.

All of which originated in the House of Representatives.

On motion,

Resolved, That the Senate be informed, that the House of Representatives have gone through their business, and are now ready to adjourn *sine die*.

A message was received from the Senate, announcing that the Senate have gone through their business, and are now ready to adjourn *sine die*. And

Thereupon,

The Speaker adjourned the House *sine die*.

JOHN FERRY ROSS,

Clerk of the House of Representatives.

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